

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

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No. 14-60167  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

January 26, 2015

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

DENISHA PORE, also known as Denisha Turnage, also known as Denisha House,  
also known as Nicole Pore,

Defendant-Appellant

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Appeal from the United States District Court  
for the Northern District of Mississippi  
USDC No. 3:13-CR-21-1

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Before REAVLEY, DENNIS, and SOUTHWICK, Circuit Judges.

PER CURIAM:\*

Denisha Pore pled guilty to one count of wire fraud and was sentenced to 125 months in prison. On appeal, she contends that the district court erred by refusing to grant an offense-level reduction for acceptance of responsibility.

We will affirm the sentencing court's decision not to give credit for acceptance of responsibility "unless it is without foundation, a standard of

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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review more deferential than the clearly erroneous standard.” *United States v. Juarez-Duarte*, 513 F.3d 204, 211 (5th Cir. 2008) (internal quotation marks and citation omitted). The record shows that Pore violated a condition of pretrial release by possessing a computer. More significantly, the presentence report recounted ample, reliable, and un rebutted evidence to show, for present purposes, that Pore embarked on a new fraud scheme after her arrest for the instant fraud offense. These are grounds for denying credit for acceptance of responsibility. *See United States v. Rickett*, 89 F.3d 224, 227 (5th Cir. 1996). The decision to deny credit for acceptance was not without a foundation. *See Juarez-Duarte*, 513 F.3d at 211. The judgment is AFFIRMED.