

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-30772  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

TERRENCE O. LAFAYETTE,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Middle District of Louisiana  
USDC No. CR-94-88-B  
- - - - -

June 19, 1996

Before GARWOOD, WIENER and PARKER, Circuit Judges.

PER CURIAM:\*

Terrence O. Lafayette appeals his sentence for possession of cocaine with intent to distribute. Lafayette challenges the district court's determination of the relevant quantity of drugs, argues that he was a minimal participant in the offense, and contends that the district court should have granted his motion for downward departure.

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

The district court did not clearly err in holding Lafayette responsible for the entire quantity of cocaine involved in the transaction or in finding that his role in the offense was not minimal. United States v. Hernandez-Coronado, 39 F.3d 573, 574 (5th Cir. 1994); United States v. Zuniga, 18 F.3d 1254, 1261 (5th Cir.), cert. denied, 115 S. Ct. 214 (1994). We lack jurisdiction to consider Lafayette's argument concerning the denial of a downward departure because there is no indication that the district court's decision was based on legal error or a misapplication of the Guidelines. United States v. DiMarco, 46 F.3d 476, 477 (5th Cir. 1995).

AFFIRMED.