

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-40754
Conference Calendar

UNITED STATES OF AMERICA,

Defendant-Appellee,

versus

ROGELIO ORTIZ-IBARRA,

Plaintiff-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. 94-CR-106-1
- - - - -

February 29, 1996

Before GARWOOD, JONES, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

Rogelio Ortiz-Ibarra appeals the denial of his motion for modification of his sentence pursuant to 18 U.S.C. § 3582(c)(2). He argues that an amendment to U.S.S.G. § 3E1.1, enacted prior to his sentencing hearing, permits modification of his sentence. We affirm for the same reasons given by the district court. *United States v. Ortiz-Ibarra*, No. 94-CR-106-01 (Aug. 21, 1995).

AFFIRMED.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.