

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-40830
(Summary Calendar)

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

VERNON LEON WHITMORE, JR.,

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of Texas
(5-95-CR-8-4)

July 18, 1996

Before HIGGINBOTHAM, WIENER and BENAVIDES, Circuit Judges.

PER CURIAM:*

Defendant-Appellant Vernon Leon Whitmore, Jr. entered a plea of guilty to carjacking, aiding and abetting, and use of or carrying a firearm during a crime of violence, in violation of 18 U.S.C. §§ 2, 924(c)(1), and 2119, for which he was sentenced to 420 months of imprisonment. On appeal, Fagan complains of purported sentencing errors regarding (1) a six-level upward adjustment to

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

his offense level based on permanent or life-threatening injury, pursuant to U.S.S.G. § 2B3.1(b)(3)(C); (2) a four-level upward adjustment for abduction, pursuant to U.S.S.G. § 2B3.1(b)(4)(A); (3) an upward departure from the guidelines range based on (a) multiple firearms pursuant to § 5K2.0, and (b) inadequacy of criminal history category pursuant to § 4A1.3. For the reasons set forth in United States v. Hawkins, No. 95-40828, 1996 WL 361330 (5th Cir. Jun. 28, 1996), we affirm in all respects the sentence imposed on Whitmore by the district court.

AFFIRMED.