

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-40839
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

B. A. WILCOXSON, III,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 4:95-CR-9
- - - - -

August 20, 1996

Before KING, DUHÉ, and DeMOSS, Circuit Judges.

PER CURIAM:*

B. A. Wilcoxson, III, appeals his sentence in a guilty-plea conviction for possession of counterfeited securities in violation of 18 U.S.C. § 513. He argues that the district court erred in considering the dismissed charges as relevant conduct for sentencing purposes and finding that the offense conduct involved more than minimal planning. We have reviewed the record and the briefs of the parties and hold that the findings of the

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

district court are not clearly erroneous. See United States v. Vital, 68 F.3d 114, 117-18 (5th Cir. 1995); United States v. Clements, 73 F.3d 1330, 1340-41 (5th Cir. 1996).

AFFIRMED.