

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-50516

Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

GUILLERMO FLORES,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
(EP-94-CR-261-DB)

April 18, 1996

Before KING, SMITH, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

Guillermo Flores appeals his sentence for conspiracy to possess cocaine with intent to distribute, arguing that the district court clearly erred by sentencing him as a manager in the offense. Flores also urges that his role in the offense was minor. Flores objected to the increase in his offense level, but he did not object that the facts reported by the probation officer were incorrect. Flores testified at the sentencing hearing, but the district court implicitly rejected Flores'

*Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

version of his role in the offense as not credible. The district court's determination that Flores was the manager in charge of transporting the cocaine is plausible in light of the record as a whole and, thus, not clearly erroneous. United States v. Edwards, 65 F.3d 430, 432 (5th Cir. 1995).

AFFIRMED.