

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-10158
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

NIDAL ABDULAFATTAH AL-ZURAQI,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:95-CR-114-A

- - - - -
February 21, 1997

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

PER CURIAM:*

Nidal Abdulafattah Al-Zuraqi appeals from his sentence following his conviction for two counts of bank fraud. He argues that the district court erred by increasing his offense level pursuant to U.S.S.G. § 3C1.1 for obstruction of justice and that this court has incorrectly interpreted the commentary to § 3C1.1. We have reviewed the record and find no reversible error. Given the trial testimony of both Al-Zuraqi and a bank employee, the district court did not clearly err by determining that Al-Zuraqi

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

had given false testimony and thus obstructed justice. Further, Al-Zuraqi's claim that this court has misinterpreted the law is foreclosed by the rule in this Circuit that one panel may not overrule the decision of another. See United States v. Storm, 36 F.3d 1289, 1297 (5th Cir. 1994), cert. denied, 115 S. Ct. 1798 (1995). Accordingly, the judgment of the district court is AFFIRMED.

AFFIRMED.