

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-11398

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

VERSUS

LONNIE OLIVER, JR.,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Northern District of Texas  
(3:96-CR-203-1-D)

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October 10, 1997

Before REYNALDO G. GARZA, SMITH, and WIENER, Circuit Judges.

PER CURIAM:\*

We have reviewed the briefs and pertinent portions of the record and have heard the arguments of counsel. We conclude that there is no error. There was no breach of the plea agreement, nor did the district court err in relying on the amount of loss set forth in the presentence investigation report.

The judgment of sentence, accordingly, is AFFIRMED.

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\* Pursuant to 5<sup>TH</sup> CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5<sup>TH</sup> CIR. R. 47.5.4.