

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-20196  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

VERLISA R. ALLEN,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. CR-H-94-220  
- - - - -

December 10, 1996

Before WIENER, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Verlisa R. Allen appeals the district court's application of U.S.S.G. § 2A2.2 for aggravated assault to establish her base offense level. Allen also appeals the district court's imposition of a three-level increase in her offense level pursuant to § 2A2.2(b)(3)(D) for causing bodily injury. Allen contends that § 2A2.4 for obstructing or impeding an officer should have been used to establish her offense level.

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

The district court's findings that Allen caused the victim to suffer extreme physical pain and to undergo oral surgery and rehabilitation justify the district court's use of § 2A2.2. The district court's finding that the victim's injuries were more than simple but not serious warranted the three-level increase under § 2A2.2(b)(3)(D). The district court's findings were supported by the record and were not clearly erroneous. See United States v. Hooker, 997 F.2d 67, 75 (5th Cir. 1993).

AFFIRMED.