IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-40643
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

ISSIAC BRATCHETT,

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of Texas
(1:95-CR-142)

January 9, 1997

Before KING, GARWOOD, and DENNIS, Circuit Judges.

PER CURIAM:*

Issiac Bratchett argues that the district court erred in refusing to decrease his offense level for the acceptance of responsibility.

We have reviewed the record, the presentence report, and the briefs, and find that the district court did not err in refusing to make a downward adjustment for the acceptance of

---

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

responsibility. In denying the adjustment, the district court did not rely solely on the fact that Bratchett refused to discuss his relevant conduct that was not the basis for the offense of conviction. The district court also relied on Bratchett's acknowledgment that he pleaded guilty in order to receive a more lenient sentence and Bratchett's lack of expression of contrition or remorse. See United States v. Nevarez-Arreola, 885 F.2d 243, 245 (5th Cir. 1989). The district court's determination was not without foundation and was not erroneous.

AFFIRMED.