

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-40769
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

PAULA VEGA-DE VALDEZ,

Defendant-Appellant.

Appeal from the United States District Court
for the
Southern District of Texas
(M-95-CR-205-1)

August 5, 1997

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

PER CURIAM:*

Paula Vega-De Valdez argues that the district court erred in (1) finding that the offense involved more than 100 aliens pursuant to United States Sentencing Guideline section 2L1.2(b)(2)(C); (2) finding that she was an organizer or leader pursuant to section 3B1.1(a); and (3) that the Government breached the plea agreement.

This court reviews the application of the sentencing guidelines de novo and the district court's findings of fact for

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5th CIR.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

clear error. See United States v. Wimbish, 980 F.2d 312, 313 (5th Cir. 1992). After thoroughly reviewing the record we determine that the district court did not clearly err in finding (1) that more than 100 aliens were involved in Vega De-Valdez's offense and that Vega De-Valdez was a leader or organizer pursuant to section 3B1.1(a).

Vega De-Valdez contends that the Government breached the plea agreement. However, after reviewing the record it does not appear that the government breached the agreement.

Therefore, the district court's judgment is

AFFIRMED.