

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 97-10778  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

GLENN CARROLL,

Defendant-Appellant.

- - - - -  
Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:96-CR-93-A  
- - - - -

February 12, 1998

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

PER CURIAM:\*

Glenn Carroll has appealed the district court's addition of 120 days to his sentence of confinement upon the revocation of his probation. The district court took that action in compliance with U.S.S.G. § 7B1.3(d), p.s., as a result of Carroll's failure to serve 120 days of community confinement which had been a condition of his probation. See United States v. Pena, 125 F.3d 285 (5th Cir. 1997). Because Carroll's appeal is frivolous, it is DISMISSED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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APPEAL DISMISSED.