

UNITED STATES COURT OF APPEALS
for the Fifth Circuit

No. 97-40143

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

VERSUS

JESSE GEORGE TAYLOR,

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of Texas
(6:96-CR-22-21)

April 13, 1998

Before GARWOOD, DAVIS and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

In this direct criminal appeal Taylor argues that the district court erred by:

1. sentencing him based on distribution of crack cocaine instead of powder cocaine;
2. allowing Taylor's post-guilty plea statements to be used at sentencing to establish his base offense level;
3. allowing a co-conspirator's hearsay statement to be used at sentencing to establish his base offense level.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

After reading the briefs and reviewing pertinent portions of the record, we are persuaded that the district court committed no reversible error.

AFFIRMED.