

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 97-40362  
Conference Calendar

---

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

GEORGE BARRY CLARK,

Defendant-Appellant.

- - - - -  
Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 9:96-CR-15-ALL  
- - - - -

October 21, 1997

Before POLITZ, Chief Judge, and WIENER and DENNIS, Circuit Judges.

PER CURIAM:\*

George Barry Clark appeals his sentence for conspiring to defraud the United States by obtaining fraudulent income tax refunds, in violation of 18 U.S.C. § 286. He contends it was error for the district court to assess a four-level enhancement for his leadership role, pursuant to U.S.S.G. § 3B1.1(a), when calculating his sentence. The presentence report supports the determination that Clark was a § 3B1.1 leader or organizer. The district court did not clearly err in assessing the four-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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

enhancement. See United States v. Ronning, 47 F.3d 710, 711 (5th Cir. 1995); United States v. Gadison, 8 F.3d 186, 196 (5th Cir. 1993).

AFFIRMED.