

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-40882
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOHNNY MORALES, also known as
Johnny Anthony Morales,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. L-97-CR-75-1
- - - - -

April 10, 1998

Before JOLLY, JONES, and DUHÉ, Circuit Judges.

PER CURIAM:*

Johnny Morales, whose real name is Enrique Sifuentes-Garcia, appeals his sentence following conviction for possession with intent to distribute marijuana. He argues that his use of an alias until just prior to sentencing was not a sufficient basis for application of the sentencing enhancement pursuant to U.S.S.G. § 3C1.1. Morales' conduct falls within the range of conduct to which that enhancement may be applied. See United States v. McDonald, 964 F.2d 390, 392-93 (5th Cir. 1992). The

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

district court's factual findings regarding his use of an alias are not clearly erroneous. See United States v. Cisneros, 112 F.3d 1272, 1279 (5th Cir. 1997).

AFFIRMED.