

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-30803
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOHN LACOUR,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 97-CR-10012-03
- - - - -

April 11, 2000

Before WIENER, DeMOSS, and PARKER, Circuit Judges

PER CURIAM:*

John Lacour appeals from his sentence following his guilty-plea conviction for conspiracy to distribute and to possess with intent to distribute crack cocaine. He argues that the district court's imposition of a \$40,000 fine was error. Because he failed to object to the presentence report's calculation of the fine, this issue is reviewed only for plain error. See United States v. Rodriguez, 15 F.3d 408, 414 (5th Cir. 1994); United States v. Matovsky, 935 F.2d 719, 722 (5th Cir. 1991); see also FED. R. CRIM. P. 52(b).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

The district court imposed a fine toward the low end of the applicable guideline range and based the fine explicitly on the presentence report's findings regarding Lacour's previous employment history. The district court's holding was not plain error. Accordingly, the district court's judgment is AFFIRMED.