

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-40736
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOSE LUIS LOREDO,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. M-98-CR-447-1

April 10, 2001

Before JOLLY, HIGGINBOTHAM, and JONES, Circuit Judges.

PER CURIAM:*

Jose Luis Loredó appeals the district court's assessment of his base offense level at 22. Loredó's argument is that there are no facts to support a finding of intent to distribute heroin, as opposed to mere possession, which carries with it a lower base offense level. However, Loredó failed to object to the PSR, relegating our review to the "plain error" standard. See United States v. Ocana, 204 F.3d 585, 588, cert. denied, 121 S. Ct. 192 (2000). We decline to exercise our jurisdiction to correct any error as it would not seriously affect the fairness, integrity,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

or public reputation of judicial proceedings. See United States v. Calverley, 37 F.3d 160, 162 (5th Cir. 1994) (en banc).

Accordingly, we AFFIRM the judgment of the district court.

AFFIRMED.