

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-51044
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

BYRON LAMONTE MCCUTCHEON,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. W-92-CR-26-5

June 16, 2000

Before JOLLY, DAVIS, and DUHÉ, Circuit Judges

PER CURIAM:*

Byron McCutcheon's appeals the district court's denial of his 18 U.S.C. § 3582(c) motion to reduce his sentence. He argues that the district court erred in denying his motion, but he has failed to show that the district court abused its discretion in denying the motion. See United States v. Whitebird, 55 F.3d 1007, 1009 (5th Cir. 1995). Accordingly, the judgment of the district court is

AFFIRMED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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