

August 24, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-51003
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DANIEL RAY SHEEDS,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 5:05-CR-107-ALL

Before KING, HIGGINBOTHAM, and GARZA, Circuit Judges.

PER CURIAM:*

Following a jury trial, Daniel Ray Sheeds was convicted of one count of possession of an unregistered firearm. The district court sentenced him to serve 27 months in prison and a three-year term of supervised release. Sheeds argues that his conviction is invalid due to flaws in his jury instructions. Sheeds has not established plain error in connection with his jury instructions, which track the language of the applicable pattern instruction and statute. See United States v. McClatchy, 249 F.3d 348, 357 (5th Cir. 2001); see also United States v. Daniels, 252 F.3d 411,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

414 (5th Cir. 2001). To the extent that Sheeds challenges the district court's response to a query from the jury, this challenge is unavailing because the district court's response was a "reasonably accurate" statement of law. See United States v. Jones, 132 F.3d 232, 243 (5th Cir. 1998). Sheeds has shown no error in connection with his conviction.

Sheeds likewise has shown no error in connection with his sentence. Contrary to his arguments, the district court properly calculated his base offense level. See U.S.S.G. § 2K2.1(a)(5); 26 U.S.C. § 5845(a). Sheeds has not demonstrated that he was entitled to a reduction in his sentencing calculations for acceptance of responsibility. See United States v. Perez, 915 F.2d 947, 950 (5th Cir. 1990).

The judgment of the district court is AFFIRMED.