

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 97-31243  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

PEARLIE HAMILTON,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Louisiana  
(97-CR-10006-ALL)

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July 6, 1998

Before JOHNSON, JONES, and DeMOSS, Circuit Judges.

PER CURIAM:\*

Pearlie Hamilton appeals the sentence imposed following her guilty-plea conviction for theft of government property. She contends that the district court erred in calculating the amount of loss attributable to her criminal conduct when determining the applicable sentencing range.

A district court's determination of relevant conduct and the amount of loss is reviewed for clear error. United States v. Peterson, 101 F.3d 375, 384 (5th Cir. 1996), cert. denied, 117

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5th CIR.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

S.Ct. 1346 (1997). Relevant conduct must be criminal, but need only be shown by a preponderance of the evidence. See Id. at 385. After a careful review of the record and the controlling authorities, we conclude that the district court's determination that a loss of \$44,142 was attributable to Hamilton's criminal conduct is not clearly erroneous. See United States v. Powell, 124 F.3d 655, 663, 665-66 (5th Cir. 1997), cert. denied, 118 S.Ct. 1082 (1998).

AFFIRMED.