

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 97-40306

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

JUAN DIAZ-ESPINOSA,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas, Corpus Christi  
(C-95-CR-244-2)

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February 4, 1998  
Before KING, EMILIO M. GARZA, and DeMOSS, Circuit Judges.

PER CURIAM:\*

We have read the briefs, reviewed the relevant portions of the record and heard oral argument. As counsel for the government pointed out in detail at oral argument, the defendant did not file a written objection to the PSR or offer any sworn testimony rebutting the relevant portion of the PSR. Under the circumstances, the district court did not err in denying the defendant a sentence reduction for acceptance of responsibility.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

The district court's judgment of conviction and sentence are  
AFFIRMED.