

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-10164
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

VERSUS

JORY DWAN GRIFFIN,
also known as Jory Griffin,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
(4:97-CR-109-1-A)

December 15, 1998

Before DAVIS, DUHÉ and PARKER, Circuit Judges.

PER CURIAM:*

Jory Dwan Griffin appeals his convictions and sentence after a guilty plea for fraudulently making and passing counterfeit United States currency. 18 U.S.C. §§ 471, 472.

The district court was not required to sua sponte recuse himself on the ground that Griffin's attorney worked in the Federal

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Public Defender's office with lawyers who had testified against the judge in proceedings before the Judicial Counsel of the Fifth Circuit. See *United States v. Vadner*, - F.3d - ,1998 WL 781244 (5th Cir. 1998).

The district court did not err by increasing Griffin's base offense level to fifteen pursuant to U.S.S.G. § 2B5.1(b)(2). See *United States v. Wyjack*, 141 F.3d 181, 183 (5th Cir. 1998)(concluding that § 2B5.1(b)(2) applies to counterfeiters who produce instruments by photocopying, unless the instruments produced are so obviously counterfeit that they are unlikely to be accepted after only minimal scrutiny.)

Finding no reversible error, we affirm.

AFFIRMED.