

**UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 98-40467
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

PEDRO GARZA, JR.,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
(M-97-CR-142-2)

September 2, 1999

Before POLITZ, WIENER, and PARKER, Circuit Judges.

PER CURIAM:*

Pedro Garza pleaded guilty to one count of alien transporting. Garza appeals his sentence, contending that the district court erred by increasing his offense level for using a minor to commit the offense.

At sentencing, both Garza and the minor allegedly used in the offense testified. The district court found neither to be credible.¹ In addition, the testimony

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

¹ **United States v. Huskey**, 137 F.3d 283 (5th Cir. 1998); **United States v. Sotelo**, 97 F.3d 782 (5th Cir. 1996).

of other witnesses supported the imposition of the enhancement. We find no reversible error. Accordingly, the judgment appealed is AFFIRMED.