

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 98-40645  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ARSTON RICHARD OLONE,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. C-97-CR-267-1  
- - - - -

January 6, 1999

Before EMILIO M. GARZA, DeMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Arston Richard Olone pleaded guilty to bank fraud. He was sentenced to 21 months' imprisonment. Olone appeals his sentence. He argues first that the district court erred in calculating the loss attributable to him for sentencing purposes. The district court's loss calculation is plausible in light of the record as a whole and is thus not clear error. See United States v. Wimbish, 980 F.2d 312, 313 (5th Cir. 1992).

Olone argues next that the district court erred in

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

calculating his criminal history score. We find no error in the district court's application of the guidelines concerning this issue. See U.S.S.G. § 4A1.1(d), comment. (n.4).

AFFIRMED.