

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-50307
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

VERSUS

LORENZO FORD,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. W-97-CR-51-1
- - - - -

October 2, 1998

Before JOLLY, SMITH, and WIENER, Circuit Judges.

PER CURIAM:*

Lorenzo Ford appeals his sentence in a guilty-plea conviction for distribution of crack cocaine within 1,000 feet of a public school in violation of 21 U.S.C. §§ 841(a)(1) and 860(a). He argues that the district court erred in holding that he should be sentenced as a career offender, because one of the underlying state offenses either was void or had been dismissed by the trial court.

The district court may inquire into the validity of prior proceedings that have not been reversed or vacated by the state

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

courts, but this inquiry is discretionary. United States v. Canales, 960 F.2d 1311, 1315 (5th Cir. 1992); United States v. Howard, 991 F.2d 195, 199 (5th Cir. 1993). We have reviewed the record, the applicable law, and the briefs of the parties and conclude that the district court did not err in finding that the state-court conviction was valid for purposes of career-offender status. The judgment of the district court is AFFIRMED.