

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-10664
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

KEITH W. BLACK,

Defendant-Appellant.

Appeal from the United States District Court for the
Northern District of Texas
USDC No. 3:98-CR-324-ALL

April 4, 2000

Before JOLLY, JONES, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Keith Black appeals his sentence after pleading guilty to the fraudulent use of a social security number and to being a felon in possession of a firearm. Black argues that the district court erred when it used the categorical approach set forth by this court in United States v. Galvan-Rodriguez, 169 F.3d 217, 219 (5th Cir.), cert. denied, 120 S.Ct. 100 (1999), to determine that his prior conviction for the unlawful taking of a vehicle was a crime of violence for sentence enhancement purposes under U.S.S.G. § 2K2.1(a)(2).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

This court need not reach the issue whether the court's approach was incorrect because, under the "residual clause" of § 4B1.2(a)(2), Black's underlying conviction was a crime of violence given that he stole the car at gunpoint. See United States v. Kirk, 111 F.3d 390, 394 (5th Cir. 1997).

A F F I R M E D.