

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-20639
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MINH CHINH TRAN, also known as Tom Tran,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-98-CR-344-2

March 3, 2000

Before SMITH, BARKSDALE, and PARKER, Circuit Judges.

PER CURIAM:*

Minh Chinh Tran appeals the sentence imposed after his plea of guilty to conspiracy to commit food stamp fraud and conspiracy to launder money. Tran's argument that the district court lacked a factual basis in calculating the value of the funds involved in the crime pursuant to U.S.S.G. § 2S1.1(b)(2). The Presentence Report sets forth facts and methodology used to calculate the value. Tran failed to present testimony, affidavit, or other evidence to rebut the value as calculated in the PSR. See United States v. Puig-Infante, 19 F.3d 929, 943 (5th Cir. 1994); see

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

also United States v. Mir, 919 F.2d 940, 943 (5th Cir. 1990);
United States v. Rodriguez, 897 F.2d 1324, 1328 (5th Cir. 1990).

AFFIRMED.