

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-20739
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ERNESTO C. CASTANEDA,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-95-CR-142-76
- - - - -

July 19, 2000

Before JOLLY, JONES and BENAVIDES, Circuit Judges.

PER CURIAM:*

Ernesto C. Castaneda appeals from his conviction and sentence following his guilty plea to one count of structuring transactions to evade reporting requirements, in violation of 31 U.S.C. §§ 5322 and 5324(a)(3), and 18 U.S.C. § 2. We have reviewed the record and the briefs of the parties, and we find no reversible error. The district court did not plainly err by failing to afford Castaneda the opportunity to withdraw his guilty plea when he did not receive the sentence contemplated in the plea agreement he entered pursuant to Fed. R. Crim. P. 11(e)(1)(B). See United States v. Palomo, 998 F.2d 253, 256 (5th Cir. 1993). Nor did the court err in refusing to award Castaneda a two-level reduction in

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

his offense level based upon an assertion of acceptance of responsibility. See United States v. Watson, 988 F.2d 544, 551 (5th Cir. 1993). Accordingly, Castaneda's conviction and sentence are **AFFIRMED**.