

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-40438
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JUAN ANTONIO RAMOS,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. C-98-CR-337-1

December 20, 1999

Before SMITH, BARKSDALE, and PARKER, Circuit Judges.

PER CURIAM:*

Juan Antonio Ramos appeals the sentence imposed upon his guilty-plea conviction for possession with the intent to distribute cocaine. Ramos argues that the district court erred in denying application of the safety-valve provision provided in U.S.S.G. § 5C1.2 because he provided to the Government all information and evidence he had concerning the offense.

Under § 5C1.2, the district court may sentence a defendant without regard to the statutory minimum sentence if it is determined, inter alia, that the defendant truthfully provided

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

the Government with "all information and evidence the defendant has concerning the offense[.]" § 5C1.2(5). We review a district court's refusal to apply § 5C1.2 based on factual findings for clear error. See United States v. Edwards, 65 F.3d 430, 433 (5th Cir. 1995). We perceive no such error here.

AFFIRMED.