

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-50816
(Summary Calendar)

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

GUY EUGENE HARPER,

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas
(SA-98-CR-414-1-EP)

September 1, 2000

Before HIGGINBOTHAM, WIENER, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Defendant-Appellant Guy Eugene Harper pleaded guilty to possession of a firearm by a convicted felon. He appeals his sentence, which was calculated from a base offense level of 24 pursuant to U.S.S.G. § 2K2.1(a)(2) because the district court determined that his prior Texas conviction for unauthorized use of a motor vehicle was a "crime of violence" under § 4B1.2(a).

The district court did not err in determining that Harper's prior conviction was a crime of violence under the sentencing guidelines. See United States v. Jackson, ___ F.3d ___ (5th Cir.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

July 26, 2000, No. 99-10734), 2000 WL 1028991 at *5 (unauthorized use of a motor vehicle is, as a categorical matter, a crime of violence pursuant to § 4B1.2(a)'s residual clause, which applies to a crime that "presents a serious potential risk of physical injury to another").

AFFIRMED.