

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-60013

MICHAEL CHRISTOPHER STANDAERT,

Petitioner,

versus

UNITED STATES PAROLE COMMISSION,

Respondent.

Appeal from the Determination of the
United States Parole Commission
(866602-080)

December 14, 1999

Before JOLLY, EMILIO M. GARZA, and BENAVIDES, Circuit Judges.

PER CURIAM:*

A court in Mexico found Michael Christopher Standaert (Standaert) "criminally responsible of a health related crime, manufacturing and possession of methamphetamine" and sentenced him to ten years in prison. After serving some of his sentence in Mexico, Standaert transferred to the United States pursuant to a prisoner transfer treaty to serve the remainder of his sentence. Pursuant to 18 U.S.C. § 4106A, the United States Parole Commission (Commission) determined that Standaert had to serve the full ten-year sentence.

Standaert now appeals the Commission's determination, arguing

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

that the Commission erred in calculating his offense level because it used a drug quantity that was contrary to the findings in the Mexican court's judgment. After having reviewed the briefs and record and hearing oral argument, we conclude that Standaert has not shown that the Commission's finding that twenty-four ounces of methamphetamine should be used to calculate his offense level constituted "clear error." See *Rosier v. United States Parole Commission*, 109 F.3d 212, 214 (5th Cir. 1997) (explaining that this Court reviews the Commission's factual findings for clear error). We therefore AFFIRM the Commission's determination of Standaert's release date.

AFFIRMED.