

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 99-1383NI

United States of America,

Appellee,

v.

Martin Becerra,

Appellant.

*
* On Appeal from the United
* States District Court
* for the Northern District
* of Iowa.
*
* [Not To Be Published]
*
*

Submitted: February 17, 2000

Filed: February 28, 2000

Before RICHARD S. ARNOLD, BOWMAN, and BEAM, Circuit Judges.

PER CURIAM.

Martin Becerra appeals from the final judgment entered in the District Court¹ upon his guilty plea to distribution and aiding and abetting the distribution of methamphetamine, in violation of 21 U.S.C. § 841(a)(1). The District Court sentenced Becerra to four years and nine months imprisonment and four years supervised release. For reversal, Becerra argues the District Court clearly erred in denying him an

¹The Hon. Michael J. Melloy, United States District Judge for the Northern District of Iowa.

adjustment for his role in the offense, especially when a co-defendant received a four-level minimal-role reduction.

Becerra was not entitled to a mitigating-role reduction merely because his co-defendant received one. See United States v. Jones, 145 F.3d 959, 963 (8th Cir. 1998), cert. denied, 119 S. Ct. 457 (1998). According to the uncontested factual allegations contained in his presentence report, Becerra's wife had arranged a drug transaction; he accompanied her to a meeting place with knowledge that the activity was somehow drug-related; and, in response to his wife's signal, he had a brief discussion with a co-defendant shortly before the co-defendant placed methamphetamine in an undercover vehicle. We conclude the District Court did not clearly err in finding that Becerra was "fully involved" in this transaction and in denying Becerra's request for a mitigating-role reduction. See Jones, 145 F.3d at 963; United States v. McGrady, 97 F.3d 1042, 1042-43 (8th Cir. 1996).

Accordingly, we affirm.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.