

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 99-2358

Roeles Ortiz,

Appellant,

v.

United States of America,

Appellee.

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Appeals from the United States
District Court for the Southern
District of Iowa.

No. 99-2360

[UNPUBLISHED]

Sean Demarco Stone,

Appellant,

v.

United States of America,

Appellee.

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No. 99-2413

Eric Gabriel Ortiz,

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Appellant, *
v. *
United States of America, *
Appellee. *

No. 99-2462

Ramon Ortiz, Jr., *
Appellant, *
v. *
United States of America, *
Appellee. *

Submitted: January 10, 2000

Filed: February 3, 2000

Before RICHARD S. ARNOLD, FAGG, and HANSEN, Circuit Judges.

PER CURIAM.

Roeles Ortiz, Sean Demarco Stone, Eric Gabriel Ortiz, and Ramon Ortiz, Jr. (collectively Appellants) appeal the district court's adverse rulings on their motions for new trial and to vacate their sentences. We affirm.

The Appellants raise several contentions in support of their claims for a new trial and for correction of their sentences. Having reviewed the record, we reject their arguments. We agree with the district court's conclusions that, first, the newly discovered exculpatory evidence the government failed to disclose would not likely produce an acquittal if a new trial were granted or provide a basis to correct the Appellants' sentences, and second, because the withheld evidence does not undermine confidence in the verdicts and the sentences, the evidence does not satisfy the materiality requirement under Brady v. Maryland, 373 U.S. 83, 87 (1963). We also conclude the district court's sentence-related factual findings about drug quantities and roles in the offenses are not clearly erroneous, the district court properly imposed a weapons enhancement, and the district court neither violated nor misapplied the sentencing guidelines. We are satisfied the district court properly denied the Appellants' motions for a new trial and to vacate their sentences, the appeal simply involves the application of settled principles of law to unique facts, and the issues do not warrant a comprehensive opinion. We thus affirm the district court without further discussion. See 8th Cir. R. 47B.

A true copy.

Attest:

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