
No. 96-1489

United States of America,

Appellee,

v.

Paul K. Golter,

Appellant.

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* Appeal from the United States
* District Court for the
* District of Nebraska.

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* [UNPUBLISHED]
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Submitted: August 6, 1996

Filed: October 21, 1996

Before BEAM, HANSEN, and MORRIS SHEPPARD ARNOLD, Circuit Judges.

PER CURIAM.

After Paul K. Golter pleaded guilty to conspiring to distribute and possess with intent to distribute cocaine, the district court¹ sentenced him to 15 months imprisonment and, as a special condition of supervised release, prohibited him from using alcohol. Golter moved to modify this condition, such that he be required to refrain only from excessive alcohol use. The district court denied the motion, noting a social services organization's evaluation of Golter which predicted he would return to his past cocaine use if he consumed alcohol. Golter appeals. We have reviewed the record and the parties' briefs, and we cannot conclude the district court abused its discretion in denying Golter's motion. Cf. United States v. Prendergast, 979 F.2d 1289, 1292-93

¹The Honorable Warren K. Urbom, United States District Judge for the District of Nebraska.

(8th Cir. 1992) (reviewing for abuse of discretion district court's original imposition of a special condition of supervised release).

Accordingly, the judgment of the district court is affirmed.

A true copy.

Attest:

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