

United States Court of Appeals

FOR THE EIGHTH CIRCUIT

No. 96-3585

United States of America,	*	
	*	
Appellee,	*	
	*	
v.	*	Appeal from the United States
	*	District Court for the
Edward Earl Wright, also known	*	Eastern District of Missouri.
as James Hill,	*	[UNPUBLISHED]
	*	
Appellant.	*	

Submitted: February 4, 1997

Filed: February 14, 1997

Before BOWMAN, WOLLMAN, and BEAM, Circuit Judges.

PER CURIAM.

Edward Earl Wright appeals the sentence imposed by the district court¹ after he pleaded guilty to conspiring to distribute cocaine base and distributing more than 50 grams of cocaine base, in violation of 21 U.S.C. §§ 841(a)(1) and 846. We affirm.

Wright's presentence report indicated a Guidelines sentencing range of 360 months to life, noting that a 120-month mandatory-minimum penalty was applicable. At sentencing, the government moved for a downward departure under U.S. Sentencing Guidelines

¹The Honorable Carol E. Jackson, United States District Judge for the Eastern District of Missouri.

Manual § 5K1.1, p.s. (1995). The district court departed and

sentenced Wright to 180 months imprisonment and five years supervised release, stating the mandatory minimum was not a severe enough penalty given Wright's criminal history and the nature of the offense.

On appeal, Wright contends the court erred in not departing further and not imposing the mandatory minimum. We may not review the extent of the court's downward departure, however, regardless of its reasons for not departing further. See United States v. Dutcher, 8 F.3d 11, 12 (8th Cir. 1993).

Accordingly, the judgment is affirmed.

A true copy.

Attest:

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