

United States Court of Appeals  
FOR THE EIGHTH CIRCUIT

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No. 97-1246EA

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United States of America,

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Appellee,

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Appeal from the United States

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District Court for the Eastern

v.

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District of Arkansas.

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Tina Yvette Lee, also known as

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[UNPUBLISHED]

Tina Yvonne Lee,

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Appellant.

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Submitted: August 6, 1997

Filed: August 25, 1997

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Before FAGG, BOWMAN, and MURPHY, Circuit Judges.

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PER CURIAM.

Tina Yvette Lee, also known as Tina Yvonne Lee, appeals the drug-related sentence imposed by the district court under the sentencing guidelines. For reversal, Lee contends the district court improperly refused to grant Lee's motion for a downward departure. We reject Lee's argument. The record shows the district court considered Lee's individual circumstances and understood its authority to depart downward; thus, the district court's refusal to depart is not reviewable on appeal. See United States v. Hernandez-Reyes, 114 F.3d 800, 802-03 (8th Cir. 1997). We affirm Lee's sentence. See 8th Cir. R. 47B.

A true copy.

Attest:

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