

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 97-3055

United States of America,

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Appellee,

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v.

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Appeal from the United States

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District Court for the Western

Debra Ann Roath, a/k/a Debra G.

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District of Missouri.

Smithpeter,

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[UNPUBLISHED]

Appellant.

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Submitted: January 13, 1998

Filed: February 27, 1998

Before BOWMAN and MORRIS SHEPPARD ARNOLD, Circuit Judges, and
JONES,¹ District Judge.

PER CURIAM.

Debra Ann Roath was an insurance agent for American Family Insurance Company in 1991, 1992, and 1993. During that time, she sold various policies but failed to send many of the policy applications and premiums to the company.

¹The Honorable John B. Jones, United States District Judge for the District of South Dakota, sitting by designation.

Ms. Roath pleaded guilty to one count of mail fraud, see 18 U.S.C. § 1341, and was sentenced to five months in prison. She was also ordered to pay restitution of \$15,107.92 to the company. Ms. Roath appeals her sentence, contending that the district court calculated incorrectly the amounts of loss for incarceration and restitution purposes under the federal sentencing guidelines, see U.S.S.G. § 2F1.1(b)(1)(F).

We have read the transcripts of her plea hearing and her sentencing hearing and have considered the arguments of the parties and all of the materials in the record. We see no error by the district court² and therefore affirm Ms. Roath's sentence. See 8th Cir. R. 47B.

A true copy.

Attest:

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

²The Honorable Howard F. Sachs, United States District Judge for the Western District of Missouri.