

UNPUBLISHED  
**UNITED STATES COURT OF APPEALS**  
FOR THE FOURTH CIRCUIT

UNITED STATES OF AMERICA, <i>Plaintiff-Appellee,</i>
v.
ADELINA YARDIRA GARCIA-VERGARA, <i>Defendant-Appellant.</i>

No. 02-4418

Appeal from the United States District Court  
for the Western District of North Carolina, at Charlotte.  
Richard L. Voorhees, District Judge.  
(CR-01-48-07-V)

Submitted: March 27, 2003

Decided: April 14, 2003

Before WIDENER, NIEMEYER, and SHEDD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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**COUNSEL**

Joseph L. Ledford, Charlotte, North Carolina, for Appellant. Robert J. Conrad, Jr., United States Attorney, Karen E. Eady, Assistant United States Attorney, Charlotte, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

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**OPINION**

## PER CURIAM:

Adelina Yardira Garcia-Vergara pled guilty to four counts of an indictment that resulted from her participation in a conspiracy to provide illegal aliens with fraudulent North Carolina driver's licenses and other forms of identification. At sentencing, the district court enhanced Garcia-Vergara's sentence pursuant to *U.S. Sentencing Guidelines Manual* § 2L2.1(b)(2)(C) (2001), for trafficking in 100 or more documents relating to naturalization, citizenship, or legal resident status; and pursuant to USSG § 3B1.1(b), for acting as a manager or supervisor of a criminal activity involving five or more participants. Garcia-Vergara challenges the propriety of these enhancements on appeal. We affirm.

This court reviews a district court's factual findings at sentencing for clear error and its related legal conclusions, including the application of the Sentencing Guidelines, de novo. *United States v. Daughtrey*, 874 F.2d 213, 217 (4th Cir. 1989). We conclude that the district court did not err by finding that Garcia-Vergara was a manager or supervisor within the conspiracy and that the conspiracy had over five people. See USSG § 3B1.1(b). There was substantial evidence that Garcia-Vergara directed at least one other member of the conspiracy, and that she was responsible for managing the portion of the conspiracy relating to the purchase of fraudulent driver's licenses. See USSG § 3B1.1, comment. (n.2).

As to the enhancement under USSG § 2L2.1(b)(2)(C), there was evidence that one of the conspirators was involved in producing 1000 fraudulent documents, which were reasonably foreseeable to Garcia-Vergara, and the evidence supported the inference that Garcia-Vergara herself was involved with 100 or more documents. Therefore, the district court did not err in overruling Garcia-Vergara's objections to application of the enhancement.

We affirm Garcia-Vergara's conviction and sentence. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

*AFFIRMED*