

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 97-6054**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

CARVEL LARRY JONES, JR.,

Defendant - Appellant.

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Appeal from the United States District Court for the District of Maryland, at Baltimore. Frank A. Kaufman, Senior District Judge. (CR-90-135-K, CA-96-2857-K)

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Submitted: May 29, 1997

Decided: June 6, 1997

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Before NIEMEYER, LUTTIG, and MOTZ, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Harry D. McKnett, Columbia, Maryland, for Appellant. Katharine Jacobs Armentrout, Assistant United States Attorney, Baltimore, Maryland, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant appeals from the denial of relief on his 28 U.S.C.A. § 2255 (West 1994 & Supp. 1997) motion in which he claimed that the district court erred in determining his relevant conduct in arriving at his sentence. See United States Sentencing Commission, Guidelines Manual, § 1B1.3 (Nov. 1995). Specifically, Appellant claims that the amendments to USSG § 1B1.3 which became effective in 1992 changed the interpretation of "relevant conduct" to narrow the scope of his accountability. However, our review of the record discloses that, even applying the later version of § 1B1.3, the district court made the requisite findings and that they were not clearly erroneous. Accordingly, we deny a certificate of appealability and dismiss the appeal. 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.

DISMISSED