

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

---

No. 17-30741  
Summary Calendar

---

United States Court of Appeals  
Fifth Circuit

**FILED**

June 19, 2018

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JONATHAN BARKER,

Defendant-Appellant

---

Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 6:16-CR-150-1

---

Before DAVIS, COSTA, and ENGELHARDT, Circuit Judges.

PER CURIAM:\*

Jonathan Barker appeals the sentence imposed following his conviction for importation of a controlled substance in violation of 21 U.S.C. §§ 952 and 960. In particular, he challenges the district court's application of an enhancement under U.S.S.G. § 2D1.1(b)(1) for possession of a dangerous weapon.

---

\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

No. 17-30741

Given that a loaded handgun was found under a seat cushion in the living room of Barker's apartment, which was about 10 to 15 feet away from the location where Barker placed packages containing a total of 1,019 "Ecstasy" pills that he had shipped from the Netherlands to his apartment, it was plausible to find that the Government proved by a preponderance of the evidence that there was a temporal and spatial relation between the handgun, Barker, and Barker's drug importation offense. *See United States v. King*, 773 F.3d 48, 52-54 (5th Cir. 2014). We also find it plausible that Barker did not carry his burden of showing that it was clearly improbable that the handgun was connected to his offense. *See id.* Accordingly, we discern no error in the district court's application of the § 2D1.1(b)(1) enhancement.

AFFIRMED.