

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

\_\_\_\_\_  
No. 06-14846  
\_\_\_\_\_

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT JULY 29, 2008 THOMAS K. KAHN CLERK
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D. C. Docket No. 05-20515-CR-JEM

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

SHERMAN LAVAN DOUGLAS,  
a.k.a. Sherman Douglas,

Defendant-Appellant.

\_\_\_\_\_  
Appeal from the United States District Court  
for the Southern District of Florida  
\_\_\_\_\_

**(July 29, 2008)**

Before WILSON, COX and BOWMAN,\* Circuit Judges.

PER CURIAM:

\_\_\_\_\_  
\* Honorable Pasco M. Bowman II, United States Circuit Judge for the Eighth Circuit,  
sitting by designation.

Sherman Lavan Douglas was convicted of violating the Hobbs Act, 18 U.S.C. § 1951(a), and he appeals that conviction and the 124-month sentence he received as a result. On appeal, Douglas argues that: (1) sufficient evidence of an interstate nexus did not exist to support the conviction; (2) his trial counsel was ineffective; (3) the district court erred in admitting testimony concerning the victims' out of court identifications of Douglas and a prior similar tourist robbery; (4) the district court erred in failing to grant Douglas's motion for judgment of acquittal on the ground of grand jury abuse; (5) the district court clearly erred in applying a two-level enhancement for bodily injury; (6) the district court erred in counting a prior conviction twice when it calculated his criminal history; and (7) the district court erred in calculating his sentence because it unreasonably departed from criminal history Category IV to Category VI.

After a careful consideration of the briefs, review of the record on appeal, and having heard oral argument in the matter, we conclude that Douglas's arguments have no merit. Accordingly, we affirm the conviction and sentence.

**AFFIRMED.**