

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

October 3, 2007

No. 07-10411
Conference Calendar

Charles R. Fulbruge III
Clerk

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

DERRICK ANTHONY SARDIN, also known as Xavier James Sardin

Defendant-Appellant

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:06-CR-164

Before JOLLY, DAVIS, and WIENER, Circuit Judges.

PER CURIAM:*

Appealing the Judgment in a Criminal Case, Derrick Anthony Sardin raises arguments that are foreclosed by *United States v. Beydoun*, 469 F.3d 102, 108 (5th Cir. 2006), which held that there is no *Crawford v. Washington*, 541 U.S. 36 (2004) violation when hearsay testimony is used at sentencing, rather than at trial. The Government's motion for summary affirmance is GRANTED, and the judgment of the district court is AFFIRMED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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