

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 99-3915

United States of America,

Appellee,

v.

Christine Freeman,

Appellant.

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Appeal from the United States
District Court for the District
of Nebraska.

[UNPUBLISHED]

Submitted: May 16, 2000

Filed: May 25, 2000

Before LOKEN, FAGG, and HANSEN, Circuit Judges.

PER CURIAM.

Having entered a guilty plea to conspiring to distribute and possess with intent to distribute methamphetamine, Christine Freeman appeals the guidelines sentence imposed by the district court. Freeman contends the district court improperly denied her motion for a downward departure. We disagree. The district court clearly expressed an awareness of its authority to depart downward, and its discretionary decision not to do so is unreviewable. See United States v. Johnson, 169 F.3d 569, 573 (8th Cir. 1999). We thus affirm the judgment of the district court. See 8th Cir. R. 47B. We also deny Freeman's motion for appointment of new appellate counsel.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.