

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

**FILED**  
**U.S. COURT OF APPEALS**  
**ELEVENTH CIRCUIT**  
**JULY 2, 2003**  
**THOMAS K. KAHN**  
**CLERK**

---

\* Honorable John R. Gibson, United States Circuit Judge for the Eighth Circuit, sitting by designation.

KRAVITCH, Circuit Judge:

Defendant-appellant Derrick White appeals his sentence for being in the United States illegally. White argues that the district court misapplied the term “relevant conduct” pursuant to United States Sentencing Guideline (“U.S.S.G.”) § 4A1.2 in calculating his criminal history. Resolving this issue requires us to determine the proper

proper

warrant. On July 9, 2001 INS agents went to White's residence, and when White left his apartment, the INS agents approached him and identified themselves. He refused to talk, and the INS agents detained him until the DeKalb County officers arrived. After the DeKalb County officers arrived, one of them asked White for his name, and White responded that his name was "Wilborn." The officer immediately arrested White for giving a false name to a police officer. The INS searched White's apartment and found a fake driver's license 0.00010.8000 0.0000 TD(alsint, thnce)Tj66.2400 0.000

Whiteuilunte tr gce









Eleventh Circuit decision about the Sentencing Guidelines' concept of "relatedness,"  
and Saavedra and Anderson prescribe th



of the Guideli

---

<sup>4</sup> The Supreme Court did not indicate whether appellate courts should determine “what kind of ‘deference’ is ‘due,’” Buford v. United States

before the court, it is a greater offense, re

---

<sup>6</sup> We note, however, that White pleaded guilty to the federal offense and that, as a consequence, the sentencing judge did not possess the same level of familiarity with the facts and with White that he would have had if White's case had gone to trial.







### III. CONCLUSION

For the reasons stated, we VACA