

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-20854
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DAVID JAMES FAUCHER,
also known as DAVID JAMES FANCHER,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-01-CR-95-1

August 21, 2002

Before HIGGINBOTHAM, DAVIS, and PARKER, Circuit Judges.

PER CURIAM:*

David James Faucher challenges the district court's order that his federal sentence for his instant conviction of felon in possession of a firearm run consecutively to his state sentence for his revocation of parole with respect to his prior aggravated robbery offense. Faucher acknowledges that his argument is foreclosed by this court's decision in United States v. Alexander, 100 F.3d 24 (5th Cir. 1996), but seeks to raise it to

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

preserve the issue for further review. In light of Alexander, the district court's order that Faucher's federal sentence for his instant offense run consecutively to his state sentence for his revoked parole was not error.

AFFIRMED.