

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

August 24, 2011

Lyle W. Cayce
Clerk

No. 11-50231
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JOHNNY TREJO,

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 5:94-CR-174-13

Before BENAVIDES, STEWART and CLEMENT, Circuit Judges.

PER CURIAM:*

Johnny Trejo, federal prisoner # 57448-080, pleaded guilty to conspiracy to possess cocaine with intent to distribute and conspiracy to launder money. The instant notice of appeal was filed on March 4, 2011, more than sixteen years after the October 1994 final judgment was entered and well beyond the time for extending the appeal period under Federal Rule of Appellate Procedure 4(b)(4). *See* FED. R. APP. P. 4(b)(1)(A)(i), (b)(4). Trejo's appeal, which is far outside the time limit, is DISMISSED. *See United States v. Leijano-Cruz*, 473 F.3d 571, 574

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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(5th Cir. 2006). His motion for the appointment of counsel is DENIED AS MOOT.