

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 94-50099
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JULIAN SALINAS VERA,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. SA-90-CV-1369

- - - - -
(November 15, 1994)

Before JONES, DUHÉ, and PARKER, Circuit Judges.

PER CURIAM:*

Grounds for relief under Section 2255 that were not presented to the district court should not be considered by the court of appeals for the first time. United States v. Colon-Padilla, 770 F.2d 1328, 1334 n. 6 (5th Cir. 1985); King v. United States, 565 F.2d 356, 358 (5th Cir. 1978); Elrod v. United States, 503 F.2d 959, 960 (5th Cir. 1974). As Vera failed to raise the conflict of interest issue in either of his two motions at the district court level he has waived his right to bring them before this court. Colon-Padilla, 770 F.2d at 1334.

* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

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AFFIRMED.