

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 94-50486
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MICHAEL MITCHELL,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. W-91-CR-84-1
- - - - -

(January 27, 1995)

Before POLITZ, Chief Judge, and HIGGINBOTHAM and DeMOSS,
Circuit Judges.

PER CURIAM:*

Michael Mitchell's term of supervised release was revoked by the district court after it found seven violations of the terms of that release. Mitchell contests two of the seven findings only.

A sentencing court is authorized, pursuant to 18 U.S.C. § 3583(e), to revoke supervised release if it finds there was a violation of the conditions of supervised release. Revocation of supervised release is reviewed for an abuse of discretion.

* 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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

United States v. Kindred, 918 F.2d 485, 488 (5th Cir. 1990).

Mitchell has not shown such an abuse. He does not contest the district court findings regarding five violations of the terms of supervised release. This appeal is without arguable merit and thus, frivolous. Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983). Because the appeal is frivolous, it is DISMISSED. 5th Cir. R. 42.2.

APPEAL DISMISSED.