

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-10923  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ALBERTO PACHECO-MORALES,

Defendant-Appellant.

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Appeal from the United States District Court for the  
Northern District of Texas  
(3:95-CR-064-R)

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May 22, 1996

Before SMITH, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:\*

Appellant appeals his conviction for possession with intent to distribute more than five kilograms of cocaine, challenging the district court's denial of his motion to suppress the evidence. We have reviewed his arguments and the record and find no error in the district court's reasoning announced at the conclusion of the June 15, 1995, suppression hearing. We have no jurisdiction to consider Appellant's Fed. R. Crim. P. 35 motion inasmuch as the district

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\* Pursuant to Local rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

court has not ruled on such a motion. 28 U.S.C. § 1291.

AFFIRMED.