

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-50771
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ALLEN BRENTWOOD MARDIS,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. A-90-CR-58
- - - - -

April 19, 1996

Before DUHÉ, DeMOSS, and DENNIS, Circuit Judges.

PER CURIAM:*

Appellant Allen Brentwood Mardis, a federal prisoner proceeding pro se, appeals from the denial of his motion for reduction of sentence filed under an unidentified provision or statute. Mardis, who pleaded guilty in 1990 to theft of postal moneys, argues only that he is entitled to a three-level offense level reduction for acceptance of responsibility under U.S.S.G. § 3E1.1. The relief Mardis seeks is not available under any of several statutory vehicles for post-conviction relief. See

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

United States v. Early, 27 F.3d 140 (5th Cir.), cert. denied, 115 S. Ct. 600 (1994); United States v. Vaughn, 955 F.2d 367, 368 (5th Cir. 1992). Mardis' substantive claim is in any event frivolous. Accordingly, the district court's denial of his motion is

AFFIRMED.