

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-50822
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOHN BRETT ALLEN,

Defendant-Appellant.

Appeal from the United States District Court for the
Western District of Texas
USDC No. A-91-CV-259

September 3, 1996
Before GARWOOD, JOLLY, and DENNIS, Circuit Judges.

PER CURIAM:*

John Brett Allen, #00307-165, appeals from the district court's denial of his motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255. Allen seeks to withdraw his guilty plea.

The Tenth Circuit Court of Appeals has already addressed Allen's issues. See Allen v. Hadden, 57 F.3d 1529, 1537, 1541 (10th Cir.), cert. denied, 116 S.Ct. 544 (1995).

A F F I R M E D.

*Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

