

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-10342
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

SILAS VICTOR DELK,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:90-CR-122-G
- - - - -

February 21, 1997

Before SMITH, EMILIO M. GARZA, and PARKER, Circuit Judges.

PER CURIAM:*

Silas Victor Delk, federal prisoner #20779-077, appeals from the district court's denial of his second motion for reduction of sentence pursuant to 18 U.S.C. § 3582(c)(2). Delk has not identified a retroactive guideline amendment that would lower his sentencing range. See 18 U.S.C. § 3582(c)(2); U.S.S.G. 1B1.10(c), p.s. Accordingly, the judgment of the district court is AFFIRMED. The district court's denials of Delk's first motion for reduction of sentence and his motion to vacate, set aside, or

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

correct his sentence pursuant to 28 U.S.C. § 2255 are not properly before this court for review as Delk failed to file a timely notice of appeal from either judgment. See Fed. R. App. P. 4(a)(4) & (b).