

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-20792
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CARL MAE SMITH,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. CR H 94-282-9
- - - - -

June 17, 1997

Before SMITH, STEWART, and DENNIS, Circuit Judges.

PER CURIAM:*

Carl Mae Smith appeals her guilty-plea conviction for unlawful use of a telephone to facilitate the distribution of cocaine base. She contends that the district court erred in finding her competent to plead guilty and to formulate the criminal intent at the time of committing the charged offense.

We have reviewed the record and the briefs of the parties and hold that Smith's unconditional guilty plea waived all

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

nonjurisdictional defects in the lower court proceedings, including her challenge to the district court's competency determination. United States v. Bell, 966 F.2d 914, 915 (5th Cir. 1992); Speed v. United States, 441 F.2d 1106, 1107 (5th Cir. 1971).

AFFIRMED.