

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 96-20926
(Summary Calendar)

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JORGE GUSTAVO MARTINEZ,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
(USDC No. H-96-CR-152-7)

October 30, 1996

Before DAVIS, EMILIO M. GARZA, STEWART, Circuit Judges.

PER CURIAM:*

Jorge Gustavo Martinez appeals from the district court's order denying his motion to revoke the magistrate judge's order detaining him pending trial. The district court's decision rests on its conclusion that Martinez presents a risk of flight and no conditions will reasonably assure Martinez's appearance as required. The district court's conclusion is supported by the record. See United States v. Rueben, 974 F.2d 580, 586 (5th Cir. 1992), cert. denied, 507 U.S. 940 (1993). The district court's detention order is AFFIRMED.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.