

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-40425  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MICHAEL L. YOUNG,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. C-95-CR-136-2  
- - - - -

October 29, 1996

Before GARWOOD, JOLLY and DENNIS, Circuit Judges.

PER CURIAM:\*

Michael L. Young challenges his conviction for delivery of 5.5 grams of cocaine base. He argues that the district court abused its discretion by denying his motion for new trial based on newly discovered evidence, specifically, Ralph Anderson's testimony concerning what Gary Reed, a key witness at Young's trial, told Anderson approximately one month after Young's trial. We have carefully reviewed the arguments and appellate record.

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

We detect no abuse of discretion. See United States v. Nixon, 881 F.2d 1305, 1311-12 (5th Cir. 1989); United States v. Hamilton, 559 F.2d 1370, 1374-75 (5th Cir. 1977).

AFFIRMED.