

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-40768
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ARTURO CHAIRES HERNANDEZ,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. BB-95-CR-260
- - - - -

August 14, 1997

Before KING, HIGGINBOTHAM, and DUHÉ, Circuit Judges.

PER CURIAM:*

Arturo Chaires Hernandez appeals his guilty-plea conviction for escape on the grounds that the district court lacked personal jurisdiction over him because the escape charge was based on a 14-year-old Mexican conviction which he now alleges was obtained by torture. Hernandez's appeal is without arguable merit and is thus frivolous. Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983).

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Because it is frivolous, the appeal is dismissed. See 5th Cir. R. 42.2.

APPEAL DISMISSED.