

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-50596
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JERRY K. BENNETT,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. SA-96-CR-197-1
- - - - -

April 15, 1997

Before REAVLEY, DAVIS, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Bennett appeals from the district court's affirmance of the magistrate's denial of his motion to dismiss his information on the grounds of double jeopardy. This court has jurisdiction over an interlocutory appeal from a refusal to dismiss an information on the grounds of double jeopardy. United States v. Reyes, 87 F.3d 676 (5th Cir. 1996). We have reviewed the record and the briefs on appeal and AFFIRM the district court's order

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

for the reasons set forth by the district court. United States of America v. Bennett, No. SA-96-CR-197-1 (W.D. Tex. July 24, 1996).

AFFIRMED.