

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-31047
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ROBERT WRIGHT,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 95-CR-202-S
- - - - -

December 8, 1998

Before JOLLY, SMITH, and WIENER, Circuit Judges.

PER CURIAM:*

Robert Wright has filed a pro se appeal from his guilty-plea conviction for mail fraud. Wright argues that the district court erred by denying his request to withdraw his guilty plea, by failing to consider his pro se motion to dismiss based on double jeopardy, and by failing to rule on the various motions he filed along with his motion to withdraw his plea. Our review of the record and the arguments and authorities convinces us that no reversible error was committed. Because Wright failed in his burden of showing a fair and just reason for the withdrawal of

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

his guilty plea, the district court did not abuse its discretion in denying his motion to withdraw his plea. See United States v. Badger, 925 F.2d 101, 104 (5th Cir. 1991). Wright's assertions that the district court erred by failing to consider and rule on various motions is refuted by the record.

Wright's motion to strike the Government's brief is DENIED. His motions concerning a 28 U.S.C. § 2255 proceeding are DENIED for lack of jurisdiction. Motion for bail DENIED.

JUDGMENT AFFIRMED; MOTIONS DENIED.