

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-20652
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CHARLES WILLIE WILLIAM,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-90-CR-330-3
- - - - -

July 16, 1999

Before HIGGINBOTHAM, JONES, and DENNIS, Circuit Judges.

PER CURIAM:*

Charles Willie William appeals the denial of his § 2255 motion to vacate, set aside, or correct sentence. William argues that his indictment was defective because it lacked the phrase "in relation to" and that his factual basis was insufficient to support his guilty plea. William did not raise these issues in the district court and, hence, they are reviewed only for plain error. See United States v. Spires, 79 F.3d 464, 465-66 (5th Cir. 1996); United States v. Calverley, 37 F.3d 160, 162-64 (5th Cir. 1994)(en banc).

William's indictment was sufficient because the indictment

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

referenced the statute to increase clarity. See United States v. Hernandez, 891 F.2d 521, 523-25 (5th Cir. 1989). William's next argument was raised in a prior § 2255 and is barred by the doctrine of law of the case. See United States v. McClain, 593 F.2d 658, 664 (5th Cir. 1979).

AFFIRMED.