

**UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 98-10142

UNITED STATES OF AMERICA,

Plaintiff-appellee,

versus

LONZO HURD,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
(3:97-CR-260-6-R)

February 5, 1999

Before REYNALDO G. GARZA, POLITZ, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Lonzo Hurd appeals his conviction on a guilty plea of violating 18 U.S.C. § 666, contending that the district court erred in failing to dismiss the indictment. Having considered the briefs and oral arguments of the parties, in light of the pertinent parts of the record, and finding no error, the judgment appealed is AFFIRMED.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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