

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-41057
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOHNIE WISE,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. B-98-CR-415-1
- - - - -
September 25, 1998

Before JOLLY, SMITH, and WIENER, Circuit Judges.

PER CURIAM:*

Johnie Wise appeals from the district court's order affirming the magistrate judge's pretrial detention order. The district court's decision rests upon the conclusion that Wise poses a danger to the safety of persons in the community.

We have reviewed the record, including the surveillance tape of Wise's meeting with a confidential informant, and the briefs of the parties, and find that the district court did not abuse its discretion in determining that the Government provided clear and convincing evidence that no condition or combination 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

conditions will reasonably assure the safety of persons in the community if Wise is released on bond. See 18 U.S.C. § 3142(e), (f); United States v. Reuben, 974 F.2d 580, 586 (5th Cir. 1992). The district court's pretrial detention order is supported by the proceedings below.

AFFIRMED.