IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-50730
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

LIBORIO GARCIA-AGUILAR,

Defendant-Appellant.

- - - - - - - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. DR-97-CR-319-1
- - - - - - - - - -

September 13, 1999

Before KING, Chief Judge, and POLITZ and DENNIS, Circuit Judges.

PER CURIAM:*

Liborio Garcia-Aguilar appeals his jury conviction for aiding and abetting the illegal transportation of aliens and aiding and abetting the harboring of illegal aliens. Garcia-Aguilar argues that the district court erred in denying his motion to dismiss on speedy trial grounds. Specifically, Garcia-Aguilar argues that the court erred in failing to give reasons for its continuance following the January docket call and that

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

the court's nunc pro tunc continuance after the speedy trial period had lapsed was inconsistent with the Speedy Trial Act.

The Speedy Trial Act "does not expressly require that the ends-of-justice findings be entered contemporaneously on the record, just that they be entered on the record." United States v. Jones, 56 F.3d 581, 585 n.9 (5th Cir. 1995). We have reviewed the record and the briefs of the parties and uphold the district court's determination that there was no Speedy Trial Act violation.

AFFIRMED.