

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**

November 6, 2007

Charles R. Fulbruge III  
Clerk

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No. 07-40069  
Summary Calendar

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UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

HECTOR RUIZ

Defendant-Appellant

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 2:06-CR-532-1

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Before KING, DAVIS, and CLEMENT, Circuit Judges.

PER CURIAM:\*

Hector Ruiz appeals his jury-trial conviction for possession with intent to distribute over 1000 kilograms of marijuana. Ruiz asserts that the district court erred in denying his motion to continue the trial to provide him with additional time to review discovery and prepare for trial. He has not established that the district court abused its discretion or that he suffered serious prejudice as a result of the court's denial of the motion. See *United States v. Scott*, 48 F.3d

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

1389, 1393 (5th Cir. 1995); *United States v. Shaw*, 920 F.2d 1225, 1230 (5th Cir. 1991). The judgment of the district court is AFFIRMED.