

No.

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

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

,

Defendant-Appellant.

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS**

BRIEF FOR _____

ATTORNEY FOR _____

RECOMMENDATION ON ORAL ARGUMENT

The _____ suggests that the issue presented can be determined upon the record and that oral argument would not benefit the panel. The parties' positions are clear and the record uncomplicated. **See** Fed. R. App. P. 34(a)(3).

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LIST OF AUTHORITIES

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JURISDICTION

This is an appeal from a final judgment of the district court in a criminal case. The jurisdiction of this Court is invoked pursuant to 18 U.S.C. § 3742 and 28 U.S.C. § 1291.

STATEMENT OF THE ISSUE

STATEMENT OF THE CASE

A. Course of Proceedings and Disposition in the Court Below.

By grand jury indictment returned on ¹

B. Statement of Facts.

SUMMARY OF THE ARGUMENT

ARGUMENT AND AUTHORITIES

¹ References to the Record on Appeal are designated by the number of the record volume assigned by the Clerk of this Court followed by "R" and the pertinent page number(s). References to the Presentence Investigation Report are designated "PSR" followed by the relevant paragraph number(s).



CONCLUSION

For the foregoing reasons, Appellant 's conviction/sentence should be affirmed.

Respectfully submitted,

✓

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Brief has been mailed to _____ on this the ___ day of _____, 1997.

✓

CERTIFICATE OF COMPLIANCE

(PLACE THIS AS LAST DOCUMENT IN BRIEF BEFORE THE BACK COVER)

Pursuant to 5TH CIR. R. 32.2.7(c), the undersigned certifies this brief complies with the type-volume limitations of 5TH CIR. R. 32.2.7(b).

1. EXCLUSIVE OF THE EXEMPTED PORTIONS IN 5TH CIR. R. 32.2.7(b)3),

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