

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-20522
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JESUS M. TORNE,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-97-CR-97-ALL

April 11, 2002

Before SMITH, DeMOSS, and PARKER, Circuit Judges.

PER CURIAM:*

Jesus M. Torne, federal prisoner #76034-079, appeals the denial of his motion to dismiss the indictment against him for delay, pursuant to FED. R. CRIM. P. 48(b). When Torne pleaded guilty, he waived all nonjurisdictional defects, including the right to object under FED. R. CRIM. P. 48(b) or the Sixth Amendment for any delay in bringing charges to the grand jury. See United States v. Grayson, 416 F.2d 1073, 1077 (5th Cir. 1969). The judgment of the district court 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.