

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-30127
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

WILBERT WILSON,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 99-CR-50082-2

August 21, 2002

Before HIGGINBOTHAM, DAVIS, and PARKER, Circuit Judges.

PER CURIAM:*

Wilbert Wilson, federal prisoner # 10376-035, appeals the district court's denial of his motion for reduction of sentence, which he asserts was filed pursuant to FED. R. CRIM. P. 35(b).

Only the Government can file a motion for reduction of a defendant's sentence pursuant to Rule 35(b). United States v. Early, 27 F.3d 140, 141 (5th Cir. 1994) (citing Rule 35(b), historical note 1991 amendment). Therefore, Wilson's was "an

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

unauthorized motion which the district court was without jurisdiction to entertain." Id. at 142.

AFFIRMED.