

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 02-40938  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOSEPH LELAND EVERIST,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 1:00-CR-67-ALL  
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March 12, 2003

Before BARKSDALE, DeMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Joseph Leland Everist appeals from his bench-trial conviction for robbery of a credit union under 18 U.S.C. § 2113(a), (d). Everist argues that his indictment was defective because it alleged that the victim credit union's accounts were insured by the National Credit Union Administration, rather than by the National Credit Union Administration Board, as specified in 18 U.S.C. § 2113(g). Because Everist raises this challenge to his indictment for the first time on appeal, it is subject to plain-error review.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

See United States v. Cotton, 535 U.S. 625, 122 S. Ct. 1781, 1785 (2002).

This omission in the indictment does not constitute plain error. Even if it did amount to plain error, the omission would not warrant relief because it does not seriously affect the fairness, integrity, or public reputation of judicial proceedings. See id. Accordingly, the district court's judgment is AFFIRMED.