

May 13, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-20530
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ARTURO CANTU-RIVERA,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
No. 4:89-CR-204-3

Before DAVIS, SMITH, and DENNIS, Circuit Judges.

PER CURIAM:*

Arturo Cantu-Rivera, now federal prisoner # 49017-079, appeals an order denying his motion under 18 U.S.C. § 3572(d)(3) for remission or modification of the \$1,000,000 fine imposed when he was sentenced. The criminal judgment is final. Because the criminal judgment did not call for payment of the fine in install-

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

ments, 18 U.S.C. § 3572(d)(3) is not applicable. The order, accordingly, is AFFIRMED.