

April 20, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-40822
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MAXIMO MANUEL RAVELL-RUIZ,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 1:04-CR-47-ALL

Before JONES, SMITH, and PRADO, Circuit Judges.

PER CURIAM:*

Maximo Manuel Ravell-Ruiz appeals from his guilty-plea conviction for illegal reentry following deportation. The record reveals that Ravell-Ruiz absconded from custody prior to the pendency of the instant appeal, and the Federal Public Defender concedes that Ravell-Ruiz's fugitive status remains ongoing. Given these circumstances, the appeal is dismissed. See Ortega-Rodriguez v. United States, 507 U.S. 234, 239-40 (1993); see also

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

United States v. Delagarza-Villareal, 141 F.3d 133, 136-38 (5th Cir. 1997).

APPEAL DISMISSED.