

January 17, 2006

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 04-41472  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellant,

versus

MIKHAEL CHARLES DORISE,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 3:02-CR-10-ALL  
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Before JONES, Chief Judge, WIENER, and DeMOSS, Circuit Judges.

PER CURIAM:\*

Mikhael Charles Dorise was charged with bank robbery, use of a firearm during and in relation to a crime of violence, and being a felon in possession of a firearm. Dorise waived his right to counsel and proceeded to trial pro se. A jury convicted Dorise on all three counts. Dorise was sentenced to 411 months of imprisonment, five years of supervised release, \$199 in restitution, and a \$300 special assessment. Represented by appointed counsel, Dorise now appeals.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Dorise's sole issue on appeal is whether he was competent to waive his right to counsel. At the hearing on Dorise's motion for self-representation, Dorise responded appropriately and coherently to all of the magistrate judge's questions. The record reflects that Dorise had a good understanding of the proceedings against him. The magistrate judge did not err in finding that Dorise knowingly and willingly waived his right to counsel. See Dusky v. United States, 362 U.S. 402, 402 (1960); Dunn v. Johnson, 162 F.3d 302, 307-08 (5th Cir. 1998).

AFFIRMED.