

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-11183
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DAVIDIAN MARQUIS LEFFALL,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:95-CR-057-X
- - - - -

August 21, 1996

Before KING, DUHÉ, and DeMOSS, Circuit Judges.

PER CURIAM:*

Davidian Marquis Leffall appeals his sentence for conspiracy to distribute cocaine. He argues that the district court erroneously denied a departure under Section 5K1.1 of the Sentencing Guidelines.

We lack jurisdiction. "The imposition of a lawful sentence coupled with the decision not to depart from the guidelines provides no ground for relief." United States v. DiMarco, 46

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

F.3d 476, 477 (5th Cir. 1995). Furthermore, Leffall has waived his right to challenge the sentence of the district court by entering into a plea agreement containing a specific waiver of that right. United States v. Melancon, 972 F.2d 566, 567-68 (5th Cir. 1992).

We grant Leffall's motion to supplement the record on appeal.

DISMISSED.