

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-20717
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ROBERT ARTHUR HALL,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. 95-CR-201
- - - - -

May 22, 1997

Before Wisdom, King, and Smith, Circuit Judges.

PER CURIAM:*

Robert Arthur Hall appeals his conviction for being a felon in possession of a firearm, in violation of 18 U.S.C. 924(e)(1). The district court did not abuse its discretion in failing to sua sponte order a competency hearing because Hall did not raise a "bona fide doubt" as to his competence.¹ This court cannot address his ineffective assistance of counsel claim because the

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

¹ See United States v. Davis, 61 F.3d 291, 303-04 (5th Cir. 1995) cert. denied, 116 S. Ct. 961 (1996).

record is not sufficiently complete to fairly evaluate the merits of such a claim.² Hall cannot raise an illegal search and seizure claim because he did not file a timely motion to suppress and such failure constitutes a waiver of the issue.³

AFFIRMED.

² See United States v. Higdon, 832 F.2d 312, 314 (5th Cir. 1987).

³ See Fed. R. Crim. P. 12(f); United States v. Harrelson, 705 F.2d 733, 738 (5th Cir. 1983).