

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-60859  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DAVID JACKSON,

Defendant-Appellant.

- - - - -  
Appeal from the United States District Court  
for the Northern District of Mississippi  
USDC Nos. 4:96CR034 and 4:96CR63  
- - - - -

August 14, 1997

Before KING, HIGGINBOTHAM, and DUHÉ, Circuit Judges.

PER CURIAM:\*

David Jackson appeals the sentence imposed for his guilty-plea conviction for conspiracy to commit fraud and escape. He argues for the first time on appeal that the district court failed to give adequate notice that it was considering an upward departure from the guidelines range for sentencing purposes. We have reviewed the briefs and the record and conclude that no plain error has occurred. See United States v. Doucette, 979 F.2d 1042, 1047 n.4 (5th Cir. 1992).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

No. 96-20766

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AFFIRMED.