

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-20072
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CURTIS LEE LINDSEY,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. CR-H-96-65-1
- - - - -

August 14, 1997

Before KING, HIGGINBOTHAM, and DUHÉ, Circuit Judges.

PER CURIAM:*

Curtis Lee Lindsey appeals his conviction and sentence for conspiracy and possession of cocaine base with intent to distribute. He argues that his guilty plea was involuntary, that his attorney performed ineffectively, that his sentence should not have been enhanced because the offense involved a firearm, and that the district court should have granted him a "new trial." We decline to address Lindsey's claim of ineffective counsel. See United States v. McCaskey, 9 F.3d 368, 380 (5th

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Cir. 1993). If Lindsey wishes to challenge counsel's performance, he may do so in a motion under 28 U.S.C. § 2255. As to Lindsey's other arguments, we find no error and AFFIRM.

AFFIRMED.