

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-41283
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RUDOLPH RODRIGUEZ,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 1:96-CR-92-1
- - - - -

October 18, 2000

Before SMITH, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Rudolph Rodriguez appeals his conviction and sentence following a guilty plea for conspiracy to possess and possession with intent to distribute marijuana in violation of 21 U.S.C. §§ 841, 846. Rodriguez argues that the district court failed to comply with Fed. R. Crim. P. 11 because the district court (1) failed to specifically inquire whether his guilty plea was the result of any threats; (2) failed to specifically advise him that he had the right to persist in a plea of not guilty; and

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

(3) failed to advise him that he faced a three-year term of supervised release.

Rodriguez waived the right to appeal any error involving the substance, procedure, or form of the conviction. *See United States v. Packer*, 70 F.3d 357, 359 (5th Cir. 1995). Furthermore, the district court determined that Rodriguez knowingly and voluntarily waived his right to appeal. *See United States v. Melancon*, 972 F.2d 566, 567 (5th Cir. 1992). Accordingly, the district court's judgment is AFFIRMED.