

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-50400
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOSE ARELI BENITEZ-MONDRAGON,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
(A-97-CR-77-ALL)

July 2, 1997

Before DAVIS, WIENER, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Jose Areli Benitez-Mondragon ("Benitez") appeals from the district court's order denying release pending trial. The district court's decision, which effectively adopted the reasoning of the magistrate judge who conducted the detention hearing, is supported

* Pursuant to 5th Cir. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5th Cir. R. 47.5.4.

by evidence that indicates that there is a serious risk that Benitez will flee and evade prosecution and that no condition or combination of conditions will reasonably assure Benitez's appearance. See 18 U.S.C. § 3142; *United States v. Rueben*, 974 F.2d 580, 586 (5th Cir. 1992). Accordingly, the district court's detention order as to Benitez is AFFIRMED, and Benitez's motion for release pending trial is DENIED.