

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 97-50598  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

REGINALD ERVIN MACKALL,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. SA-96-CA-323  
- - - - -

February 19, 1998

Before KING, HIGGINBOTHAM, and DAVIS, Circuit Judges.

PER CURIAM:\*

Reginald Ervin MacKall appeals his conviction of distribution of cocaine base in a school zone. He contends solely that his guilty plea is invalid because the district court violated Fed. R. Crim. P. 11(c)(1). MacKall avers that his plea is invalid because the district court failed to inform him fully of the nature of the charge and failed to advise him of the maximum statutory term of imprisonment and mandatory minimum term of supervised release. The district court's error was harmless

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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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

inasmuch as the aggregate maximum term of imprisonment and supervised release did not exceed the statutory maximum that was actually explained to MacKall. See United States v. Pierce, 5 F.3d 791, 793-94 (5th Cir. 1993).

AFFIRMED.