

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-50677
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CARLOS TORRES,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. SA-98-CR-60
- - - - -

October 19, 1998

Before DAVIS, DUHE' and PARKER, Circuit Judges.

PER CURIAM:*

Carlos Torres appeals from the district court's order denying his motion to revoke the magistrate judge's pretrial detention order. Torres's indictment on drug charges gives rise to a presumption that no conditions of release exist that would reasonably assure that he would appear at trial. See 18 U.S.C. § 3142(e); United States v. Trospen, 809 F.2d 1107, 1110 (5th Cir. 1997). Because Torres has not produced evidence necessary to overcome the statutory presumption that he is a flight risk, the district court's order is AFFIRMED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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