

December 12, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-40742
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JUDE NATHAN CHRISTIAN,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 5:04-CR-2232-ALL

Before KING, WIENER, and OWEN, Circuit Judges.

PER CURIAM:*

Jude Nathan Christian appeals the sentence imposed following his guilty plea to transporting illegal aliens. Christian argues that the district court erred by ordering him to cooperate in the collection of a DNA sample as a condition of his supervised release. As Christian concedes, such a claim is not ripe for review on direct appeal. See United States v. Riascos-Cuenu, 428 F.3d 1100, 1101-02 (5th Cir. 2005), petition for cert. filed (Jan. 9, 2006) (No. 05-8662). Christian seeks to preserve the issue for further review by the Supreme Court. Accordingly, the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

appeal is dismissed for lack of jurisdiction. See id. at 1102.

APPEAL DISMISSED.