United States Court of Appeals
Fifth Circuit
F I L E D
November 3, 2006
Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 06-30053
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

GRAY M. DOTSON, also known as Big Daddy,

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. 3:04-CR-56

Before DAVIS, BARKSDALE and BENAVIDES, Circuit Judges.

PER CURIAM:*

Gray M. Dotson appeals from his conviction by guilty plea of conspiring to possess with intent to distribute methamphetamine, making a false statement to a firearms dealer, possessing with intent to distribute methamphetamine, possessing a firearm in furtherance of a drug-trafficking offense, and witness-tampering. Dotson contends that the district court erred by denying his motion to withdraw his guilty plea.

The district court did not abuse its discretion by denying Dotson's motion to withdraw his plea. See United States v.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Grant, 117 F.3d 788, 789 (5th Cir. 1997). The district court held a lengthy hearing on Dotson's motion to withdraw and correctly determined that the factors enumerated in United States v. Carr, 740 F.2d 339, 343-44 (5th Cir. 1984), weighed against Dotson. Dotson's motion to withdraw relied primarily on his assertion that he received ineffective assistance of trial counsel. The district court's implicit factual findings based on the testimony of Dotson's two attorneys are not clearly erroneous. See United States v. Cuyler, 298 F.3d 387, 389 (5th Cir. 2002). On those implicit factual findings, Dotson has failed to demonstrate that his attorneys' performance was deficient or that his plea was involuntary because, but for counsel's alleged errors, he would have pleaded not guilty and proceeded to trial. See Hill v. Lockhart, 474 U.S. 52, 59 (1985).

AFFIRMED.