

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-20571
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

KARL L. DAHLSTROM,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-00-CV-3108
H-96-CR-157-1

November 23, 2001

Before DeMOSS, PARKER, and DENNIS, Circuit Judges.

PER CURIAM:*

Karl L. Dahlstrom, federal prisoner # 12894-054, appeals the district court's dismissal of his motions invoking Fed. R. Crim. P. 12(b)(2), which were filed after his conviction was affirmed on appeal and after the denial of certiorari. Because the criminal proceedings were no longer pending, these motions appear unauthorized and without a jurisdictional basis. See United States v. Early, 27 F.3d 140, 142 (5th Cir. 1994).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Even assuming that these motions were validly filed, a review of the indictment reflects that it was sufficient because it alleged all the material elements of the offenses and provided Dahlstrom with adequate notice of the charges being made against him. See United States v. Berrios-Centeno, 250 F.3d 294, 297 (5th Cir.), cert. denied, 70 U.S.L.W. (U.S. Oct. 1, 2001) (No. 01-5535), 2001 WL 914944.

Accordingly, the appeal is DISMISSED as frivolous. See 5th Cir. R. 42.2. All outstanding motions are DENIED as MOOT.

APPEAL DISMISSED. ALL OUTSTANDING MOTIONS DENIED AS MOOT.