

August 19, 2003

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-21219
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ONOFRE GUERRA, JR.,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-91-CR-59-2

Before JONES, WIENER, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Onofre Guerra, federal prisoner # 02826-043, appeals from the district court's order denying his motion to correct or modify his sentence. Guerra argues that the plea agreement was invalid and that his misprision of the felony conviction could not be used as a sentencing enhancement for his instant drug and money laundering conviction. Guerra has filed a meaningless, unauthorized motion, which the district court should have dismissed for lack of jurisdiction. See United States v. Early,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

27 F.3d 140, 142 (5th Cir. 1994). This court affirms the judgment on this alternative basis. See id.

AFFIRMED.