

April 23, 2003

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-40453
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOHN K. DAVIS,

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 1:99-CR-163-ALL

Before DAVIS, BARKSDALE, and STEWART, Circuit Judges.

PER CURIAM:*

John K. Davis appeals the revocation of his term of supervised release, which he received for violating 18 U.S.C. § 666(a)(1)(B) (accepting a bribe relative to a program receiving federal funds). We AFFIRM.

Davis contends that the district court abused its discretion by denying his counsel's motion to withdraw, filed on the day of the revocation hearing. This lacks merit because Davis has made no showing of a conflict of interest, as to which the district

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

court made appropriate inquiry. See United States v. Rodriguez, 278 F.3d 486, 492 (5th Cir.), cert. denied, 536 U.S. 913 (2002).

Davis argues that the district court abused its discretion by denying his motion for continuance of the revocation hearing. Davis is not entitled to relief on this claim because he has failed to show that the ruling resulted in prejudice to his defense. See United States v. Dupre, 117 F.3d 810, 823 (5th Cir. 1997).

AFFIRMED.