

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

November 12, 2003

Charles R. Fulbruge III  
Clerk

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No. 03-50579  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

KARL ANTHONY GONZALES,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. SA-91-CR-436-ALL

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Before JONES, BENAVIDES, and CLEMENT, Circuit Judges.

PER CURIAM:\*

Karl Anthony Gonzales, federal prisoner # 57726-080, appeals the district court's denial of his motion for a nunc pro tunc judgment to amend his 1992 judgment of conviction with an order that his federal sentence run concurrently with his state sentence. He sought credit toward his federal sentence for time served on his subsequently imposed state sentence.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Gonzales's motion was an unauthorized one over which the district court did not have jurisdiction. See United States v. Early, 27 F.3d 140, 141-42 (5th Cir. 1994). The denial of the motion was correct. Id. Gonzales's request for the appointment of counsel is **DENIED**.

**AFFIRMED; MOTION DENIED.**