

April 12, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-11116
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

KENNETH ALLEN HAMPTON,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:02-CR-58-ALL

Before JONES, Chief Judge, and JOLLY and DAVIS, Circuit Judges.

PER CURIAM:*

Appealing the Judgment in a Criminal Case, Kenneth Allen Hampton raises arguments that are foreclosed by United States v. Hinson, 429 F.3d 114, 119 (5th Cir. 2005), petition for cert. filed (Mar. 8, 2006) (No. 05-9633), which held that a defendant is not entitled to a jury trial to determine whether the terms of supervised release have been violated. The Government's motion for summary affirmance is GRANTED, and the judgment of the district court is AFFIRMED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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