

September 7, 2006

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 05-11202  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JEREMY JUD HANSEN,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:04-CR-148-ALL  
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Before DAVIS, SMITH, and WIENER, Circuit Judges.

PER CURIAM:\*

Jeremy Jud Hansen appeals from his guilty plea conviction for two counts of brandishing a firearm during a robbery. He argues that his guilty plea was not voluntary because the district court failed to advise him that his federal sentence would run consecutively to the state sentence he was already serving.

Hansen acknowledges that his claim may be foreclosed by United States v. Hernandez, 234 F.3d 252, 256-57 (5th Cir. 2000).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Although Hernandez is not controlling as it involved a different statute under which the district court had discretion whether to impose a consecutive sentence, it is nevertheless instructive. It, along with this court's prior decisions in United States v. Saldana and Tindall v. United States, establish that a court is not required by Fed. R. Crim. P. 11 to inform a defendant of the interaction between federal and state sentences, as long as it has advised the defendant of the maximum possible federal sentence. See Saldana, 505 F.2d 628, 628 (5th Cir. 1974)(per curiam); Tindall, 469 F.2d 92, 93 (5th Cir. 1972). Hansen's argument to the contrary is unavailing.

The Government's motion for summary affirmance is GRANTED, and the judgment of the district court is AFFIRMED.