

February 6, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-40634
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JAVIER LINAN,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
No. 3:02-MJ-35-ALL

Before SMITH, GARZA, and PRADO, Circuit Judges.

PER CURIAM:*

Javier Linan appeals the sentence of imprisonment imposed by the magistrate judge upon revocation of his probation. See 18 U.S.C. § 3401; 28 U.S.C. § 636(a)(4). This court lacks jurisdiction over the instant appeal. 18 U.S.C. § 3742(h). The appeal is therefore DISMISSED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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