

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 13-11338
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

May 6, 2014

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

RICHARD BOULDIN, also known as Waco,

Defendant-Appellant

Appeals from the United States District Court
for the Northern District of Texas
USDC No. 4:05-CR-11-1

Before KING, DAVIS, and ELROD, Circuit Judges.

PER CURIAM:*

The guilty plea conviction of Richard Bouldin, federal prisoner # 32154-177, for possession of a controlled substance with intent to distribute in violation of 21 U.S.C. § 841(a) and (b) was final in 2008. In October 2013, at a time when Bouldin had no actions pending, he filed a pro se motion requesting grand jury documents and a pro se motion titled “Order to Show Cause,” requesting that the district court order the United States Attorney to show

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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cause why the documents requested by Bouldin should not be provided. Bouldin appeals the district court's denial of those motions and the district court's denial of his motion for reconsideration of the denial of those motions.

It is questionable whether Bouldin's motions had a valid jurisdictional basis in the district court. *See United States v. Carvajal*, 989 F.2d 170, 170 (5th Cir. 1993). However, even if the district court correctly exercised jurisdiction, the district court properly denied the motions because Bouldin failed to show a particularized need for the grand jury materials. *See United States v. Miramontez*, 995 F.2d 56, 57-58 (5th Cir. 1993). Further, by pleading guilty, he waived all nonjurisdictional defects occurring during the grand jury proceedings. *Id.* at 60. Accordingly, the denial of Bouldin's postconviction motions is AFFIRMED.