

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

United States Court of Appeals
Fifth Circuit

FILED

December 11, 2013

Lyle W. Cayce
Clerk

No. 13-50471
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

CRISTOBAL PEREZ BAUTISTA,

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 1:11-CR-705-1

Before JOLLY, SMITH, and CLEMENT, Circuit Judges.

PER CURIAM:*

Cristobal Perez Bautista, federal prisoner # 87161-280, was convicted by guilty plea of conspiracy to possess with intent to distribute more than 50 grams of methamphetamine and possession of a firearm during a drug trafficking crime. The district court sentenced him to a total of 168 months of imprisonment and four years of supervised release. Over one year later, Bautista filed in district court a pro se motion for an extension of time in which

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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to file a 28 U.S.C. § 2255 motion. His motion was not accompanied by a § 2255 motion. The district court denied that motion for an extension of time.

In this court, Bautista has filed a motion seeking leave to proceed in forma pauperis (IFP) on appeal, a motion requesting correction of the record, and an appellate brief. The district court lacked jurisdiction to entertain Bautista's motion for an extension of time to file a § 2255 motion. *See United States v. Leon*, 203 F.3d 162, 163 (2d Cir. 2000).

Accordingly, the district court's denial of Bautista's motion is AFFIRMED, and his motions for leave to proceed IFP on appeal and for correction of the record are DENIED.