

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 92-8673
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ROBERT WADE TOWNSEND,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. W-92-CV-178(W-89-CR-87-8)
- - - - -
(March 25, 1994)

Before KING, DAVIS, and DeMOSS, Circuit Judges.

PER CURIAM:*

Robert Wade Townsend argues that the Government failed to establish the necessary jurisdiction to convict him because Texas state officials conducted the investigation leading to his arrest, made the arrest, and did not relinquish jurisdiction to the federal government. United States district courts "have original jurisdiction, exclusive of the courts of the States, of all offenses against the United States." 18 U.S.C. § 3231; see United States v. Desurra, 865 F.2d 651, 654 (5th Cir. 1989). "To

* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

confer subject matter jurisdiction upon a federal court, an indictment need only charge a defendant with an offense against the United States in language similar to that used by the relevant statute." Desurra, 865 F.2d at 654. There is no question that Townsend was charged with violating clearly-specified federal law.

Both venue and territorial jurisdiction of the United States district courts depend "on some part of the criminal activity having occurred within its territory." United States v. Luton, 486 F.2d 1021, 1022 (5th Cir. 1973), cert. denied, 417 U.S. 920 (1974). It is not disputed that some activities advancing the conspiracy to manufacture methamphetamine occurred within the territory of the United States District Court for the Western District of Texas. Townsend's appeal is frivolous; therefore, it is DISMISSED. See 5TH CIR. R. 42.2.