

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 93-1203
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

EALUM LEE STEARMAN,

Defendant-Appellant.

Appeal from the United States District Court
For the Northern District of Texas
(3-90-CR-268-T)

(August 31, 1993)

Before POLITZ, Chief Judge, DAVIS and SMITH, Circuit Judges.

PER CURIAM:*

Ealum Lee Stearman appeals the March 10, 1993 ruling of the district court which denied his motion for a stay, pending disposition of a 28 U.S.C. § 2255 motion, of the court's order that he report to prison on March 12, 1993 to begin serving his sentence. Stearman immediately appealed that ruling and made an

*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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

emergency filing with this court. On March 11, 1993 a panel of this court denied Stearman's motion for relief from the trial court's order to report to prison on March 12, 1993. On April 15, 1993 that panel denied Stearman's request for reconsideration which he had advanced as a suggestion for rehearing en banc. On July 15, 1993 the same panel denied Stearman's motion for a mandamus ordering the district court to revoke its orders directing him to report to begin serving his sentence of imprisonment.

The appeal noticed by Stearman on March 10, 1993 has been definitively resolved. Accordingly, this matter is DISMISSED.