

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 94-20326  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ROBERT WAYNE JONES,

Defendant-Appellant.

- - - - -  
Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. CR-H-93-12

- - - - -  
(February 15, 1995)

Before POLITZ, Chief Judge, and HIGGINBOTHAM and DeMOSS,  
Circuit Judges.

PER CURIAM:\*

Robert Wayne Jones argues that the district court abused its discretion by ordering him to pay over \$1 million in restitution to victims of his defrauding scheme. He argues that he lacks the financial resources to comply with the restitution order at this time. However, current inability to pay does not bar a restitution award. See United States v. Ryan, 874 F.2d 1052, 1054 (5th Cir. 1989). The district court did not abuse its discretion by ordering the restitution.

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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

AFFIRMED.