IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 94-50711
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

SEVERIANO PACHECO ORTIZ,

Defendant-Appellant.

- - - - - - - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. SA-94-CR-3
- - - - - - - - - -
June 28, 1995

Before JONES, WIENER, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

Severiano Pacheco Ortiz contends that his guilty plea was not knowing and voluntary, and thus was entered in violation of Fed. R. Crim. P. 11(c). We review violations of Rule 11 for harmless error. United States v. Johnson, 1 F.3d 296, 301-03 (5th Cir. 1993) (en banc). Ortiz contends that his waiver of the right to appeal the district court's ruling on his motion to suppress was involuntary. The record belies his contentions.

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 Pursuant to that Rule, the court has determined that this opinion should not be published.

Ortiz's signed plea agreement specifically stated that he understood that "by pleading guilty he [was] waiving his right to appeal the Court's denial of his motion to suppress." Such a document is accorded great evidentiary weight. See Hobbs v. Blackburn, 752 F.2d 1079, 1081 (5th Cir.), cert. denied, 474 U.S. 838 (1985). Ortiz acknowledged, in writing on August 2, 1994, that he had read the plea agreement in its entirety (or had it read to him) and agreed with its terms.

At the guilty-plea hearing, Ortiz testified that he was pleading guilty freely and voluntarily and with full knowledge of the consequences, that he understood the plea agreement, had discussed it with his lawyer, and agreed to it. Although the district court did not expressly advise Ortiz that by pleading guilty he would be waiving the right to challenge the suppression ruling, neither Rule 11 nor this court's jurisprudence "commands the district court to offer that warning." United States v. Abreo, 30 F.3d 29, 32 (5th Cir.), cert. denied, 115 S. Ct. 681 (1994). Ortiz has failed to show error, let alone harmful error.

Ortiz also contends that the district court failed to address a Rule 11 core concern because it failed to "address Ortiz's express inquiry into his current parole status" and the effect of the plea on that status.

Assuming, arguendo, that Ortiz requested the district court to explain the consequences of his plea on his parole status, there is no obligation that a district court do so. A district court is not required to inform a defendant of the collateral

consequences of a guilty plea. Rule 11(c); United States v. Edwards, 911 F.2d 1031, 1035 (5th Cir. 1990). The effect of a plea's possible enhancing effect on a subsequent or separate sentence is merely a collateral consequence of the conviction. Id.; Wright v. United States, 624 F.2d 557, 561 (5th Cir. 1980).

Ortiz further contends that the district court erred by failing to file, hold a hearing, and rule on his pro se motion to withdraw guilty plea. He admits he attempted to file the motion on or about November 4, 1994. Ortiz was sentenced on October 12, 1994, and judgment of conviction was filed October 17, 1994. Because Ortiz's motion was filed after the imposition of sentence, it is an unauthorized motion. See Fed. R. Crim. P. 32(e) (after the imposition of sentence, "a plea may be set aside only on direct appeal or by motion under 28 U.S.C. § 2255").

AFFIRMED.