

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-10386  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

TIMOTHY EMMETT DAMRON,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:94-CR-345-D  
- - - - -

December 20, 1995

Before DAVIS, STEWART, and PARKER, Circuit Judges.

PER CURIAM:\*

Timothy Emmett Damron appeals the denial of his motion to dismiss his indictment for interstate transportation of stolen motor vehicles on the ground that the district court lacked federal jurisdiction. Damron argues that federal agents may not manufacture federal jurisdiction by demanding that a defendant deliver the stolen vehicles across state lines solely to establish the interstate element of the offense.

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\* Local Rule 47.5.1 provides: "The publication of opinions that 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 Pursuant to that Rule, the court has determined that this opinion should not be published.

As the appellant acknowledges, we have held that such a demand by federal agents does not destroy federal jurisdiction. United States v. Clark, 62 F.3d 110, 114-15 (5th Cir. 1995). Therefore, the district court did not err.

AFFIRMED.