

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-10685  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MARTIN EDUARDO GONZALEZ,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:90-CR-005-K  
- - - - -

December 26, 1996

Before REAVLEY, JONES and STEWART, Circuit Judges.

PER CURIAM:\*

We remanded the instant case to the district court for a determination whether Martin Eduardo Gonzalez's delay in filing his notice of appeal was due to excusable neglect. In finding no excusable neglect, the district court pointed out that Gonzalez gave no reason for his delay in giving notice of appeal. This court therefore lacks jurisdiction to consider the appeal.

APPEAL DISMISSED.

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.