

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-10972
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JAMES HOWARD HANEY,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:92-CR-061-A
- - - - -

February 29, 1996

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

PER CURIAM:*

James Howard Haney has moved for a determination of the status of his case, which raises his ultimate issue for appeal, whether the district court had jurisdiction to convict him for violating 21 U.S.C. § 841(a)(1). The district court had proper jurisdiction to consider Haney's offense. See United States v. Davis, 666 F.2d 195, 199 (5th Cir. 1992); see also 28 U.S.C. § 124(a)(1). Haney's motions for determination of status, for leave to apply for a writ of mandamus in the Supreme Court, and for an extension of time to file an appellate brief are DENIED.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Haney's appeal is DISMISSED as frivolous. See 5th Cir. 42.2.
Haney is WARNED that the filing of frivolous appeals in the
future will result in the imposition of sanctions. See Moody v.
Baker, 857 F.2d 256, 258 (5th Cir.), cert. denied, 488 U.S. 985
(1988).