

**UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 95-20502
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MICHAEL ANGEL SOCRATES MAKRIS,

Defendant-Appellant.

Appeal from the United States District Court
For the Southern District of Texas
(CR-H-93-107-1)

May 22, 1996

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

PER CURIAM:*

Michael Makris timely appeals his convictions and sentences for wire fraud and for transporting counterfeit securities in international and interstate commerce, in violation of 18 U.S.C. §§ 1343 and 2314. He contends that the district court erred, *inter alia*, in denying his motion to withdraw his guilty plea. That motion was based on the grounds that at the time of entry of the plea, Makris was mentally incompetent. A close review of the record, with particular focus on the hearing on Makris' post-conviction motion, reflects the very

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

careful handling of this matter by the trial judge, and discloses no reversible error in the finding and conclusion that Makris was mentally competent at the time he entered his guilty plea.¹ For the first time on appeal, Makris maintains that his guilty plea was entered involuntarily. The record is devoid of plain error on this claim and it is rejected.² Makris' further contention that his securities offense was not cognizable under 18 U.S.C. § 2314 also lacks merit.³ We find no error in the convictions and sentences and they are AFFIRMED.

Makris' *pro se* "Motion to Include Supplemental Brief or to Dismiss the Appeal Motion" is DENIED.

¹**United States v. Makris**, No. CR-H-93-107 (S.D.Tex. Sept. 22, 1994).

²See **United States v. Calverley**, 37 F.3d 160 (5th Cir. 1994), cert. denied, 115 S.Ct. 1266 (1995).

³**United States v. Noe**, 634 F.2d 860 (5th Cir.), cert. denied, 454 U.S. 876 (1981).