

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-40797  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

EDWARD KING, JR.;  
a/k/a Junior;  
a/k/a Charles Jackson,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 1:92-CR-93-1  
- - - - -

December 10, 1996

Before WIENER, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Edward King, Jr., contends that upon resentencing after remand, the district court erred in calculating the quantity of the controlled substance attributable to him. King is barred from raising this issue because he failed to do so upon his previous appeal. See Burroughs v. FFP Operating Partners, 70 F.3d 31, 33 (5th Cir. 1995); United States v. Fiallo-Jacome, 874

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

F.2d 1479, 1481-82 (11th Cir. 1989).

IT IS ORDERED that the Government's motion to supplement the record with the briefs filed by it and King in this court's No. 93-5011 is DENIED as moot.

JUDGMENT AFFIRMED.