

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-20607
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

LINDA HUBBLE,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. 95-CR-198
- - - - -

July 10, 1997

Before DAVIS, EMILIO M. GARZA and STEWART, Circuit Judges.

PER CURIAM:*

Defendant-appellant Linda Hubble appeals her convictions, following a nonjury trial, for uttering counterfeit currency and dealing in counterfeit currency, in violation of 18 U.S.C. §§ 472 and 473. Hubble's contention that the district court, in a bench trial, was unauthorized to make factual findings as to her entrapment defense is without legal foundation. Cf. United States v. Doe, 487 F.2d 892, 893 (5th Cir. 1973) (implicitly

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

approving of trial court's resolution of entrapment issues in nonjury trial). Hubble's assertion that her waiver of her right to a jury trial was not voluntarily and intelligently given is controverted by her written waiver of such right and her answers to the court's questions before signing the waiver form. See United States v. Mendez, 102 F.2d 126, 129 (5th Cir. 1996).

Hubble's contention that her trial attorney performed ineffectively by recommending that she agree to a bench trial is meritless. See Strickland v. Washington, 466 U.S. 668, 687 (1984).

AFFIRMED.