

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-31016
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

KWESCI PRICE, also known as Kwesci Howard,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 96-CV-1195-D; 92-CR-314-D
- - - - -

March 2, 1998

Before JOLLY, BENAVIDES, and PARKER, Circuit Judges.

PER CURIAM:*

Kwesci Price (prisoner # 23188-034) appeals the district court's resentence for his conviction of conspiracy to possess with intent to distribute cocaine base. Price's resentencing following the grant of his § 2255 motion is considered a criminal proceeding. Williamson v. United States, 265 F.2d 236, 239 (5th Cir. 1959). Price filed his notice of appeal more than two months following the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

entry of the resentencing judgment. We therefore lack jurisdiction to address his appeal. See United States v. Merrifield, 794 F.2d 436, 437 (5th Cir. 1985); Fed. R. App. P. 4(b).

APPEAL DISMISSED.