

UNITED STATES COURT OF APPEALS  
FIFTH CIRCUIT

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No. 97-10225

(Summary Calendar)

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CLYDE DORRIS GREEN,

Defendant-Appellant.

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Appeal from the United States District Court  
For the Northern District of Texas  
(3:96-CR-33101-X)

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December 17, 1997

Before WIENER, BARKSDALE, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:\*

Clyde Dorris Green appeals his conviction under 18 U.S.C. § 922(g)(1) for being a felon in possession of a handgun. Green asserts that the district court erred in denying his motion to suppress because the affidavit supporting the search warrant

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

contained stale and uncorroborated information. We conclude that the district court properly denied Green's motion to suppress. See *United States v. Laury*, 985 F.2d 1293, 1311 (5th Cir. 1993); *United States v. Craig*, 861 F.2d 818, 823 (5th Cir. 1988).

Green also asserts that his trial counsel provided ineffective assistance by failing to participate adequately in the trial. On the present state of the record, we decline to consider the ineffectiveness claim. See *United States v. Higdon*, 832 F.2d 312, 313-14 (5th Cir. 1987). We do so, however, without prejudice to Green's right to raise the issue in a 28 U.S.C. § 2255 motion. See *United States v. Bounds*, 943 F.2d 541, 544 (5th Cir. 1991).

AFFIRMED.