

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-11007
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ARTHUR E. PROCTOR,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:97-CR-54-D-8
- - - - -

April 7, 1998

Before JOLLY, BENAVIDES, and PARKER, Circuit Judges.

PER CURIAM:*

Arthur Proctor appeals his guilty plea and sentence following a conviction for owning, maintaining, and controlling an automobile chop shop. His argument that his guilty plea was not knowing and voluntary because of "subsequent substance abuse findings" is unavailing. See Jackson v. United States, 512 F.2d 772, 773 (5th Cir. 1975). The district court did not abuse its discretion in denying Proctor's motion to withdraw his guilty

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

plea. See United States v. Grant, 117 F.3d 788, 789 (5th Cir. 1997).

Proctor has waived his right to contest issues regarding the calculation of his sentence and restitution through a knowing and voluntary appeal waiver made in his plea agreement. See United States v. Melancon, 972 F.2d 566, 567-68 (5th Cir. 1992).

AFFIRMED.