IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

_____

No. 98-11012
Conference Calendar
_____

UNITED STATES OF AMERICA,

                                        Plaintiff-Appellee,

versus

MICHAEL DIXON, also known as Tricky,

                                        Defendant-Appellant.

- - - - - - - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:96-CR-25-13
- - - - - - - - - -

June 15, 1999

Before EMILIO M. GARZA, BENAVIDES, and PARKER, Circuit Judges.

PER CURIAM:[*]

    Michael Dixon, federal prisoner #27536-077, appeals from the
district court's denial of his motion for new trial based upon
newly-discovered evidence pursuant to Fed. R. Crim. P. 33. He
argues that newly-discovered evidence regarding the wiretap
applications used in his criminal prosecution and the
Government's alleged suppression of such evidence entitle him to
a new trial. He also argues that the district court abused its
discretion by failing to conduct an evidentiary hearing on his

_____

    [*] 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that this opinion should not be published and is not precedent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.

motion. We have reviewed the record and find no reversible error. The record shows that the wiretap applications included proper authorizations. Further, Dixon has failed to show that the applications for the wiretap orders and the attached authorizations were not available to him at the time of the trial or that his failure to learn of the authorization letters was not due to a lack of diligence. See United States v. MMR Corp., 954 F.2d 1040, 1046-47 (5th Cir. 1992). Accordingly, the judgment of the district court is AFFIRMED. Dixon's motion "requesting ruling on motion for new trial be placed on hold pending receipt of document needed to assist the court in its ruling on the merits" is DENIED. Dixon's motion requesting this court to order the appropriate government agency to allow the authorization letters for the wiretap orders to be authenticated by Dixon's private investigator is also DENIED.

AFFIRMED; MOTIONS DENIED.