

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 99-21142  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

LUIS CORTEZ LERMA, also known  
as Juan Vallejo Restrepo,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. H-99-CR-352-1  
- - - - -

August 24, 2000

Before KING, Chief Judge, and POLITZ and WIENER, Circuit Judges.

PER CURIAM:\*

Luis Cortez Lerma, also known as Juan Vallejo Restrepo, appeals his guilty-plea conviction of aiding and abetting with the intent to possess cocaine and aiding and abetting the importation of cocaine in violation of 18 U.S.C. § 2; 21 U.S.C. § 841, 21 U.S.C. § 952(a), and 21 U.S.C. § 960(b)(1)(B). Lerma argues that the district court erred by not adequately advising him of the nature of the charges against him as required by FED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

R. CRIM. P. 11, and that it erred in accepting his guilty plea because there was evidence that his criminal conduct was coerced.

Lerma admits that his guilty plea was made voluntarily. To the extent that he challenges the "knowing" nature of his plea because the court did not question him regarding the defense of duress, this contention is without merit. Because Lerma admits the voluntariness of his plea and does not argue that he would have pleaded differently had he been informed of the duress defense, he cannot challenge any error the district court may have committed in accepting the plea, and he has waived his right to raise any defenses to the charges. See Rule 11(h); United States v. Sarmiento, 786 F.2d 665, 668 (5th Cir. 1986).

Therefore, this appeal is frivolous, and it is DISMISSED.  
5th Cir. R. 42.2.