

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-11219
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

OSAMA MAHMOUD ABDALLAH,

Defendant-Appellant

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4-01-CR-108-2-A

November 26, 2001

Before DAVIS, BENAVIDES, and STEWART, Circuit Judges.

PER CURIAM:*

Osama Mahmoud Abdallah was convicted following a jury trial of conspiracy to commit food-stamp fraud and access-device fraud. Abdallah appeals the district court's order detaining him pending sentencing. A defendant who has been convicted "shall" be detained pending sentencing "unless the judicial officer finds by clear and convincing evidence that the person is not likely to flee or pose a danger to the safety of any other person or the community if released[.]" 18 U.S.C. § 3143(a). Appellate review

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

is limited, and the detention order will be sustained if it is supported by the proceedings in the district court. United States v. Cantu-Salinas, 789 F.2d 1145, 1146 (5th Cir. 1986).

Abdallah failed to satisfy the demanding burden required for overturning the order denying his release from detention pending sentencing. Accordingly, the district court did not clearly err in denying his request for release pending sentencing. See id. at 1146 & n.1.

AFFIRMED.