

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 92-8631
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

WAYMON GOODLEY,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. MO-92-CR-30-4
- - - - -
(January 5, 1994)

Before GARWOOD, JOLLY, and BARKSDALE, Circuit Judges.

PER CURIAM:*

The district court's failure to inform Waymon Goodley that he would receive a supervised release term of "at least 10 years" life violated Fed. R. Crim. P. 11. 21 U.S.C. § 841(b)(1)(A); see Fed. R. Crim. P. 11(c). Goodley's written plea agreement with the Government also misstated the term of supervised release.

Goodley was aware that he faced minimum twenty-year term and a possible life sentence as the result of his plea. He pleaded guilty pursuant to an agreement that contained significant terms

* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

favorable to Goodley. As a result of Goodley's guilty plea, the Government dismissed other charges pending against him, recommended a sentence at the low end of the sentencing guidelines, and agreed to consider a motion for reduction of sentence. It is unlikely that Goodley's willingness to plead guilty would have been affected had he been correctly informed concerning the minimum term of supervised release. See United States v. Johnson, 1 F.3d 296, 302 (5th Cir. 1993)(en banc).

AFFIRMED.