

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 97-4160MN

United States of America,

*

*

Appellee,

*

Appeal from the United States
District Court for the District
of Minnesota.

*

v.

*

*

Juan Michael Ontiveros,

*

[UNPUBLISHED]

*

Appellant.

*

Submitted: May 15, 1998

Filed: May 21, 1998

Before RICHARD S. ARNOLD and FAGG, Circuit Judges, and BOGUE,* District
Judge.

PER CURIAM.

Juan Michael Ontiveros pleaded guilty to conspiracy to distribute marijuana. On appeal, Ontiveros contends the district court improperly rejected his request to withdraw his guilty plea. We disagree. After considering the record and the parties' submissions, we conclude Ontiveros failed to carry his burden to establish a fair and just reason to withdraw his plea and the district court's ruling was not an abuse of

*The Honorable Andrew W. Bogue, United States District Judge for the District of South Dakota, sitting by designation.

discretion. We thus affirm Ontiveros's conviction without further discussion. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.