

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 12-31164

United States Court of Appeals
Fifth Circuit

FILED

January 13, 2014

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

KELLEY WILLIAMS,

Defendant-Appellant

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 2:12-CR-194

Before REAVLEY, DAVIS, and HIGGINSON, Circuit Judges.

PER CURIAM:*

Appellant raises no issue for the appeal except that the judge's statement, about knowing Ben Bagert for many years, was grounds for questioning the judge's impartiality as reason for his disqualification. Bagert was a victim of Williams' offense who testified at sentencing about the conduct of the defendant to which she had pleaded guilty.

There is here no impairment of a judge by preventing his ability to rule or decide fully free of personal partiality.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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If appellant thought there could be a basis for any concern, she could have sought to inquire at the sentencing or thereafter even through motions to substitute counsel, to obtain bail pending appeal, and even to extend self-reporting, all filed to the same sentencing judge and unaccompanied by any motion to recuse or inquire further into the acquaintanceship disclosed at sentencing. With this record we must affirm.

AFFIRMED.