

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

No. 13-10592
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED
November 8, 2013

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

LAFAYETTE SHEPPARD,

Defendant-Appellant

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 7:10-CR-6-1

Before WIENER, OWEN, and HAYNES, Circuit Judges.

PER CURIAM:*

Defendant-Appellant Lafayette Sheppard, federal prisoner # 41284-177, appeals the denial of his motion to reconsider the denial of a 18 U.S.C. § 3582(c)(2) motion to reduce his sentence. Sheppard pleaded guilty to possession with intent to distribute 50 grams or more of cocaine base and to aiding and abetting. He was sentenced to 327 months of imprisonment and five years of supervised release. Sheppard contends that he is eligible for a

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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sentence reduction under Amendment 750, which implemented the Fair Sentencing Act (FSA) and revised the Guidelines applicable to offenses involving cocaine base. Sheppard cites the Supreme Court's decision in *Dorsey v. United States*, 132 S. Ct. 2321 (2012), in support of his argument.

As Sheppard's motion to reconsider was filed more than 14 days following the district court's ruling on his § 3582(c)(2) motion, that court lacked jurisdiction to hear that motion. *See United States v. Miramontez*, 995 F.2d 56, 58 n.2 (5th Cir. 1993); *United States v. Cook*, 670 F.2d 46, 48 (5th Cir. 1982). Accordingly, the judgment denying reconsideration is AFFIRMED.