

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

United States Court of Appeals
Fifth Circuit

FILED

November 24, 2015

Lyle W. Cayce
Clerk

No. 14-51107
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

DELFINO BUSTOS, also known as Defino Bustos,

Defendant - Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 7:14-CR-103-3

Before BARKSDALE, CLEMENT, and ELROD, Circuit Judges.

PER CURIAM:*

Delfino Bustos challenges his guilty-plea conviction for aiding and abetting possession, with intent to distribute, 50 grams or more of methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A), and 18 U.S.C. § 2, and his resulting 135-month sentence. He asserts the magistrate judge erred in declining to hold an evidentiary hearing on, or grant, his *pro se* motion to withdraw his guilty plea.

* Pursuant to 5th Cir. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5th Cir. R. 47.5.4.

No. 14-51107

“Generally, this court’s jurisdiction is limited to review the district court[’s] final orders, qualified interlocutory orders, and collateral orders.” *Goodman v. Harris Cty.*, 443 F.3d 464, 467 (5th Cir. 2006); 28 U.S.C. § 1291. Moreover, “it is well established that a magistrate judge’s order is not ‘final’ within the meaning of § 1291 and may not be appealed to this court directly”. *Sealed Appellee v. Sealed Appellant*, 765 F.3d 394, 395 (5th Cir. 2014) (quoting *Donaldson v. Ducote*, 373 F.3d 622, 624 (5th Cir.2004)). Because Bustos did not object to the magistrate judge’s order, or otherwise renew his motion, to the district court, we lack jurisdiction to consider his appeal. *See id.*

DISMISSED.