

August 28, 2006

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 05-41306  
Conference Calendar

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JOHN DEE WALKER,

Petitioner-Appellant,

versus

PAUL KASTNER, Warden, FCI Texarkana,

Respondent-Appellee.

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 5:05-CV-121  
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Before DAVIS, SMITH, and WIENER, Circuit Judges.

PER CURIAM:\*

John Dee Walker, federal inmate # 23826-077, has filed a motion in this court to proceed in forma pauperis (IFP) on appeal from the dismissal of his 28 U.S.C. § 2241 petition. Walker has also filed two motions seeking leave to file supplemental briefs on appeal; those two motions are denied.

Walker's claim that 18 U.S.C. § 3624(b) required the Bureau of Prisons to award him 54 days of credit, in advance, for each year of imprisonment that the district court imposed is foreclosed. See Moreland v. Federal Bureau of Prisons, 431 F.3d

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

180, 186 (5th Cir. 2005), cert. denied, 126 S. Ct. 1906 (2006).

Moreover, Walker's contention that the application of its interpretation of § 3624(b) to him violates the Ex Post Facto Clause is without merit. As he admits, the Bureau of Prisons has applied § 3624(b)(1) consistently since before Walker was sentenced.

IFP DENIED; LEAVE TO FILE SUPPLEMENTAL BRIEFS DENIED; APPEAL DISMISSED. See 5TH CIR. R. 42.2.