

July 17, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. 04-30648

LIONEL E. LEWIS,

Petitioner - Appellant,

versus

BURL CAIN, WARDEN, LOUISIANA STATE PENITENTIARY,

Respondent - Appellee.

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 2:03-CV-1067

Before JOLLY, PRADO, and OWEN, Circuit Judges.

PER CURIAM:*

This appeal of the District Court's denial of habeas corpus was limited to the issue of whether the state prosecutor substantially interfered with petitioner's right to call a confidential informant as a defense witness. Petitioner failed to present this claim properly to the state court. Failure to exhaust state remedies bars federal habeas relief. Whitehead v. Johnson, 157 F.3d 384, 387 (5th Cir. 1998). Therefore, the judgment of the District Court is

AFFIRMED.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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