

October 26, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-41094
Summary Calendar

CHON PATRICK DIMAS,

Petitioner-Appellant,

versus

NATHANIEL QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL
JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION,

Respondent-Appellee.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 9:02-CV-206

Before JOLLY, DENNIS, and CLEMENT, Circuit Judges.

PER CURIAM:*

Chon Patrick Dimas, Texas prisoner # 851077, appeals the district court's dismissal of his 28 U.S.C. § 2254 petition for habeas relief. Dimas claims that his federal rights were violated 1) because the state trial court admitted evidence of his commission of an extraneous burglary and 2) because the evidence at trial was insufficient to support the jury's verdict that he was guilty of murder.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

We have reviewed the record and the briefs submitted by the parties and hold that Dimas failed to meet his burden of establishing that the state court's adjudication of his claims resulted in a decision that was contrary to federal law, or was based on an unreasonable determination of the facts in light of the evidence presented in the state court proceedings. See 28 U.S.C. § 2254(d); Williams v. Taylor, 529 U.S. 362, 402-13 (2000); Jackson v. Virginia, 443 U.S. 307, 319 (1979); Story v. Collins, 920 F.2d 1247, 1254 (5th Cir. 1991); Aquilar v. Dretke, 428 F.3d 526, 534 (5th Cir. 2005). Accordingly, we affirm.

AFFIRMED.