

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-20473
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOHN LAMAR ROSS,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-95-CV-0970
- - - - -

January 25, 1996

Before JOLLY, JONES and STEWART, Circuit Judges.

PER CURIAM:*

This is an appeal from the district court's denial of appellant's motion to vacate, set aside, or correct his sentence under 28 U.S.C. § 2255. Appellant argues that his counsel was ineffective in that he failed to challenge the type of methamphetamine attributable to the appellant and failed to argue that the Government had the burden of proving that the substance seized from Ross was D-methamphetamine, and not L-methamphetamine. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

affirm for essentially the reasons given by the district court.

United States v. Ross, No. H-95-CV-0970 (S.D. Tex. June 2, 1995).

AFFIRMED.