

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-30573
Summary Calendar

PERCY BARTLEY,

Petitioner-Appellant,

versus

RICHARD P. IEYOUB, Attorney General,
State of Louisiana;
BURL CAIN, Acting Warden,

Respondents-Appellees.

Appeal from the United States District Court for the
Eastern District of Louisiana
USDC No. 94-CV-2547-M

February 23, 1996
Before JOLLY, JONES, and STEWART, Circuit Judges.

PER CURIAM:*

Percy Bartley appeals from the district court's order denying his 28 U.S.C. § 2254 petition for a writ of habeas corpus. He argues that his trial counsel was ineffective; that impermissibly suggestive identification procedures were used; that the trial judge vindictively imposed a severe sentence as punishment for Bartley's refusal to accept a plea bargain; and that the sentence was excessive and disproportionate. We have reviewed the record,

*Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

the magistrate judge's report and recommendation, and the district court's order adopting the magistrate judge's report. We AFFIRM for essentially the reasons given by the magistrate judge. Bartley v. Ieyoub, No. 94-CV-2547-M (E.D. La. Dec. 5, 1994).

A F F I R M E D.