

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-50886
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

VERNON E. BRUST,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. A-92-CR-195-2
- - - - -

June 26, 1996

Before HIGGINBOTHAM, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Vernon E. Brust, #60336-080, appeals from the district court's denial of his motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255. He argues that he was improperly sentenced and that he received ineffective assistance of counsel. Brust's challenge to his sentence is not cognizable under § 2255. See United States v. Vaughn, 955 F.2d 367, 368 (5th Cir. 1992). Further, Brust has not demonstrated that his

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

counsel's performance was deficient. See Strickland v. Washington, 466 U.S. 668, 687 (1984). Accordingly, the judgment of the district court is AFFIRMED.

AFFIRMED.