

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-60223
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JESSIE TOHILL, SR.,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Northern District of Mississippi
USDC No. 3:95-CV-35-D
- - - - -

December 31, 1996

Before JONES, DeMOSS and PARKER, Circuit Judges.

PER CURIAM:*

Jessie Tohill, Sr., federal prisoner #02567-078, 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. We have reviewed the record and find no reversible error. Accordingly, the judgment is AFFIRMED for essentially the reasons stated by the district court. See Tohill v. United States, No. 3:95CV35-D (N.D. Miss. Mar. 11, 1996). If this court were to

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

hold that a certificate of appealability (COA) is required in a case such as this, COA would be denied. See 28 U.S.C. § 2253(c).

AFFIRMED.