

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-30330
Summary Calendar

DONALD ROSS,

Petitioner-Appellant,

versus

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

Respondents-Appellees.

Appeal from the United States District Court
for the Eastern District of Louisiana
(97-CV-227-H)

April 2, 1999

Before POLITZ, BARKSDALE, and STEWART, Circuit Judges.

PER CURIAM:*

Donald Ross, Louisiana prisoner # 125986, appeals the denial of his 28 U.S.C. § 2254 habeas petition, maintaining that he was denied due process of law by the jury instruction on the law of principals and denied the effective assistance of counsel by his counsel's failure to object to the instructions.

The state habeas court held that the jury instructions, taken as a whole, complied with the law. That holding was neither contrary to, nor unreasonably applied, clearly established Federal law as determined by the Supreme Court. 28 U.S.C. § 2254(d)(1).

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Ross' counsel was not ineffective for failing to object. *Clark v. Collins*, 19 F.3d 959, 968 (5th Cir. 1994).

AFFIRMED