

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-30913
Summary Calendar

SCOTT LINGLE,

Petitioner-Appellant,

versus

BURL CAIN, Warden,

Respondent-Appellee.

Appeal from the United States District Court
for the Eastern District of Louisiana
(97-CV-1263-N)

December 7, 2000

Before HIGGINBOTHAM, WIENER, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Petitioner-Appellant Scott Lingle appeals the district court's denial of relief in his 28 U.S.C. § 2254 habeas corpus petition. Lingle argues that the reasonable doubt jury instruction given at his trial was constitutionally defective under Cage v. Louisiana, 498 U.S. 39 (1990). The AEDPA precludes consideration of this claim. Williams v. Cain, 229 F.3d 468, 473-75 (5th Cir. 2000). Accordingly, the district court's denial of relief is

AFFIRMED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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