

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-60004
Summary Calendar

L. S. NEWSOME,

Petitioner-Appellant,

versus

ED LUCAS, Chairman Mississippi Department of Corrections,

Respondent-Appellee.

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 1:95-CV-34-BrG

September 2, 1999

Before DAVIS, EMILIO M. GARZA, and DENNIS, Circuit Judges.

PER CURIAM:*

L. S. Newsome, a Mississippi prisoner, appeals the district court's denial of his 28 U.S.C. § 2254 petition. Newsome argues that he was denied his constitutional right to a speedy trial. We have reviewed the arguments in the briefs, the record, and the applicable law and have applied the balancing test of *Barker v. Wingo*, 407 U.S. 514, 530 (1972). We hold that, on balance, the State did not infringe on Newsome's constitutional right to a speedy trial. The judgment of the district court denying habeas 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.