

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-31013
Summary Calendar

RICHARD F. TREST,

Petitioner-Appellant,

versus

BURL CAIN, Warden, Louisiana
State Penitentiary,

Respondent-Appellee.

Appeal from the United States District Court for
the Western District of Louisiana
(USDC No. 91-CV-2131)

June 29, 2000

Before REAVLEY, JOLLY and SMITH, Circuit Judges.

PER CURIAM:*

Appealing from the judgment against him, Richard Trest contends that the district court improperly denied his petition for writ of habeas corpus. We affirm.

The magistrate judge fully considered Trest's contention and explained why Trest was fully informed of his rights by the Mississippi court. And under the prior holdings of this court in this case the procedural bar may be and was invoked to deny the writ. Trest

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

v. Whitley, 94 F.3d 1005 (5th Cir. 1996), Magouirk v. Phillips, 144 F.3d 348 (5th Cir. 1998).

AFFIRMED.