

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 00-60387  
Summary Calendar

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C.W. TAYLOR,

Plaintiff-Appellant,

versus

JAMES V. ANDERSON, Superintendent,  
Mississippi State Penitentiary;  
WALTER BOOKER; MIKE MOORE, Attorney General,  
State of Mississippi,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Southern District of Mississippi  
USDC No. 3:98-CV-705-LN  
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January 22, 2001

Before SMITH, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:\*

C.W. Taylor (Mississippi prisoner # 31836) appeals the district court's denial of his 28 U.S.C. § 2254 petition wherein he challenged his state-court conviction for capital murder. Taylor argues that, in rejecting his claim that he was denied his constitutional right to a speedy trial, the Mississippi Supreme Court erred by deducting 360 days of plea bargaining from the overall length of the delay. He argues both that the state record

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

did not support such a finding and that plea negotiations should not toll the speedy-trial clock.

We review Taylor's claims under the deferential standard of review provided in the AEDPA. See § 2254(d). A federal court must defer to a state court's resolution of both pure question of law and mixed questions of law and fact unless the state court's determined was "contrary to" or an "unreasonable application" of clearly established federal law as determined by the Supreme Court. Id. An applicant may also warrant habeas relief regarding a claim that was adjudicated on the merits in state court if the claim "resulted in a decision that was based on an unreasonable determination of the facts in light of the evidence presented in the State court proceeding." § 2254(d)(2).

Taylor has made no such showing. Accordingly, the district court's denial of his § 2254 petition is AFFIRMED.