

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-50341
Summary Calendar

RONALD R. BARRICK,

Petitioner-Appellant,

versus

TROY WILLIAMSON, Warden,
Federal Correctional Institution, La Tuna,

Defendant-Appellee.

Appeal from the United States District Court for the
Western District of Texas, El Paso
USDC No. 00-CV-61

July 23, 2001
Before JOLLY, SMITH, and STEWART, Circuit Judges.

PER CURIAM:*

Ronald Barrick appeals the district court's order (1) construing Barrick's petition for a writ of habeas corpus under 28 U.S.C. § 2241 as a motion to correct the sentence under 28 U.S.C. § 2255; and (2) dismissing the motion for lack of jurisdiction.

Williamson's motion to dismiss for mootness is DENIED for the reasons stated in Port v. Heard, 764 F.2d 423, 427 (5th Cir. 1985).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Having reviewed Barrick's brief, the record on appeal, and the relevant authorities, we are convinced that the district court committed no error. See Pack v. Yusuff, 218 F.3d 448, 451-54 (5th Cir. 2000). The district court's order is therefore

A F F I R M E D .