

June 25, 2003

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-10329
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JAMIE PERKINS,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:00-CV-2042-M
USDC No. 3:97-CR-55-21-T

Before DeMOSS, DENNIS, and PRADO, Circuit Judges.

PER CURIAM:*

Jamie Perkins, a federal prisoner, appeals the denial of his 28 U.S.C. § 2255 motion, in which he challenged his drug and firearms convictions. He asserts that the rule set forth in Castillo v. United States, 530 U.S. 120 (2000), renders his conviction for using and carrying a "short-barreled shotgun" invalid and requires resentencing on his other conviction for using and carrying a firearm during a drug offense, as he would

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

no longer have two firearm convictions. Castillo is not retroactively applicable to cases on collateral review. See United States v. Gonzales, 327 F.3d 416, 418-22 (5th Cir. 2003). Consequently, the judgment of the district court denying relief on Perkins's 28 U.S.C. § 2255 motion is AFFIRMED.