

December 30, 2003

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 02-31024  
Summary Calendar

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DERRICK HOPSON,

Petitioner-Appellant,

versus

BURL CAIN, WARDEN, LOUISIANA  
STATE PENITENTIARY,

Respondent-Appellee.

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Appeal from the United States District Court  
for the Eastern District of Louisiana  
USDC No. 02-CV-1123-K  
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Before REAVLEY, JONES and PRADO, Circuit Judges.

PER CURIAM:\*

Derrick Hopson, Louisiana prisoner # 315293, was convicted after a jury trial of second degree murder and was sentenced to life imprisonment. The district court denied his 28 U.S.C. § 2254 petition. A certificate of appealability was granted on the issue of whether the evidence was sufficient to support his conviction.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Hopson contends that there was insufficient evidence to identify him as having been at the scene of the crime or to establish that he had the requisite specific intent to kill or to inflict great bodily harm. See LA. REV. STAT. ANN. § 30:1. The state appellate court rejected these arguments.

Under the Antiterrorism and Effective Death Penalty Act, we may not grant habeas relief unless the state court's decision was contrary to, or involved an unreasonable application of clearly established federal law as determined by the Supreme Court. 28 U.S.C. § 2254(d). Viewing the evidence in the light most favorable to the jury's verdict, as we must, see Jackson v. Virginia, 443 U.S. 307, 319 (1979), we hold that the state court's determination was not an unreasonable application of clearly established federal law. See Foster v. Johnson, 293 F.3d 766, 776 (5th Cir.), cert. denied, 537 U.S. 1054 (2002); Foy v. Donnelly, 959 F.2d 1307, 1316 (5th Cir. 1992).

AFFIRMED.