

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-41199
Conference Calendar

ANTHONY BONFANTI, JR.,

Petitioner-Appellant,

versus

JANIE COCKRELL, DIRECTOR, TEXAS DEPARTMENT
OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION,

Respondent-Appellee.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. G-02-CV-499

December 11, 2002

Before JOLLY, DAVIS, and JONES, Circuit Judges.

PER CURIAM:*

Anthony Bonfanti, Jr., Texas prisoner # 228024, was convicted by a jury in 1978 of aggravated rape and was sentenced to life imprisonment. He appeals the district court's denial of his 28 U.S.C. § 2254 petition, in which he alleged that he was being denied his statutory and constitutional right to release on mandatory supervision. The district court granted a certificate of appealability (COA) on this issue.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Bonfanti contends that he has a statutory and constitutional expectation of release on mandatory supervision; that he has such expectation that his earned and good-conduct time would be calculated to determine his release date; and that Ex parte Franks, 71 S.W.3d 327, 328 (Tex. Crim. App. 2001), ignored the intent of the relevant statute and renders that statute unconstitutionally vague. Bonfanti's arguments are foreclosed by this court's decision in Arnold v. Cockrell, 306 F.3d 277 (5th Cir. 2002).

AFFIRMED.