

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 94-30621
Summary Calendar

ROBERTA MARR,

Petitioner-Appellant,

versus

JOHNNIE JONES, Warden, Louisiana
Correctional Institute for Women,
and RICHARD P. IEYOUB, Attorney
General, State of Louisiana,

Respondents-Appellees.

Appeal from the United States District Court for
the Eastern District of Louisiana
(94 1749)

July 25, 1995

Before REAVLEY, SMITH and PARKER, Circuit Judges.

PER CURIAM:*

Roberta Marr appeals the district court's denial of her petition for federal habeas corpus relief. We affirm.

There exists sufficient evidence to support Marr's conviction for second-degree murder, including testimony from Marr's son and her prison cellmate that Marr stated to each of

*Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

them that she had killed her husband. Although Marr may not have received full Miranda warnings before her sanity interview, we find harmless any breach of Marr's right against self-incrimination which may have occurred when the state court allowed the psychiatrist who conducted the sanity interview to testify at trial that Marr admitted in the interview to killing her husband. See Harryman v. Estelle, 616 F.2d 870, 875 (5th Cir.), cert. denied, 101 S.Ct. 161 (1980). The psychiatrist's testimony was merely cumulative of the testimony of other persons to whom Marr had made similar admissions. Nor is Marr entitled to relief on her Fourth Amendment claim, because the state provided a full and fair opportunity for litigation of Marr's illegal search claim in state court. Stone v. Powell, 96 S.Ct. 3037, 3052 (1976).

AFFIRMED.