

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-20739
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

SAJID KHAN,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. CA-H-95-1203
- - - - -

April 18, 1996

Before SMITH, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

Sajid Khan appeals from the district court's denial of his motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255. Khan argues that ineffective assistance of counsel deprived him of his right to a direct criminal appeal. Khan's failure to raise in the district court the argument that a meritorious issue for appeal concerned an unfulfilled promise by the Government and his counsel regarding his sentence precludes our consideration of this argument. See Varnado v. Lynaugh, 920

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

F.2d 320, 321 (5th Cir. 1991). In light of the well-reasoned memorandum opinion by the district court, see United States v. Khan, No. H-95-1203 (S.D. Tex. August 1, 1995), we AFFIRM.

AFFIRMED.