

**IN THE UNITED STATES COURT OF APPEALS**  
**FOR THE FIFTH CIRCUIT**

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No. 96-10117  
(Summary Calendar)

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GEORGE FOSTER,

Petitioner-Appellant,

versus

GARY L. JOHNSON, DIRECTOR, TEXAS  
DEPARTMENT OF CRIMINAL JUSTICE,  
INSTITUTIONAL DIVISION

Respondent-Appellee.

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Appeal from United States District Court  
for the Northern District of Texas  
(4:95-CV-135-Y)

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July 31, 1996

Before DAVIS, EMILIO M. GARZA, and STEWART, Circuit Judges.

PER CURIAM:\*

George Foster, #520110, appeals from the district court's denial of his petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Foster argues that an unfulfilled state promise and his former trial counsel's erroneous advice rendered his guilty plea involuntary. He also contends that

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\*Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

he was denied due process and deprived of a liberty interest because his minimum discharge date was calculated incorrectly. We have reviewed the record and the briefs and AFFIRM the district court's denial for essentially the same reasons adopted by the district court. Foster v. Scott, No. 4:95-CV-135-Y (N.D. Tex. Jan. 19, 1996).