

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-20078
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

STEPHEN ANENE EZEOKÉ,

Defendant-Appellant

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. CA-H-95-4014
- - - - -

August 9, 1996

Before SMITH, DUHÉ, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Appellant Stephen Anene Ezeoke, #59812-079, appeals the district court's denial of his motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255, arguing ineffective assistance of counsel, an improper guilty-plea colloquy, and sentencing errors. We affirm for essentially the reasons given by the district court. See United States v. Ezeoke, Cr. No. H-92-104 (S.D. Tex. Nov. 15, 1995).

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Ezeoke also argues that the district court erred by not granting his motion for enlargement of time in which to file a response brief. This argument is moot as the response brief was before the court when it denied Ezeoke's post-judgment motion. Finally, Ezeoke argues that the district court was biased. This court has reviewed the record and finds no bias. An adverse judicial ruling cannot, alone, show improper bias. Liteky v. United States, 114 S. Ct. 1146, 1157 (1994).

Because Ezeoke cannot show a strong likelihood of success on his constitutional claims or any exceptional circumstances warranting relief, his motion for release pending appeal is also denied. See Calley v. Callaway, 596 F.2d 701, 702 (5th Cir. 1974).

AFFIRMED.