

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-20321
Summary Calendar

DAVID LEE COOK, JR.,

Petitioner-Appellant,

versus

GARY L. JOHNSON, 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. CA-H-93-2421
- - - - -

September 26, 1996

Before SMITH, DUHÉ, and BARKSDALE, Circuit Judges.

PER CURIAM:*

David Lee Cook, Texas prisoner #435179, appeals the district court's denial of habeas corpus relief. Cook argues that he was deprived of his Sixth Amendment right to confront witnesses against him at trial and that the prosecutor's comments constituted misconduct that rendered his trial fundamentally unfair in violation of the Fourteenth Amendment. We have

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

reviewed the record and the brief and have found no reversible error. We affirm for the reasons stated by the district court. Cook v. Johnson, No. CA-H-93-2421 (S.D. Tex. Feb. 26, 1996).

AFFIRMED.