

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-50017
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

STEVE ELLIS,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. ER-94-CA-323
- - - - -

June 27, 1996

Before HIGGINBOTHAM, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Steve Ellis, #02383-043, appeals the denial of his 28 U.S.C. § 2255 motion to vacate his sentence, in which he argued that the district court erred in determining the amount of marijuana attributable to him for Sentencing Guideline purposes and that his attorney performed ineffectively by failing to raise this issue on direct appeal. This court has reviewed the record, the

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

parties' arguments, and the district court's findings and conclusions, and affirms for essentially the reasons cited by the district court. See Ellis v. United States, No. EP-94-CA-323-H (W.D. Tex. Nov. 17, 1995).

AFFIRMED.