

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-50113  
Summary Calendar

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GREGORY DOUGLAS JOHNSON,

Petitioner-Appellant,

versus

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

Respondent-Appellee.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. W-95-CV-137  
- - - - -

September 13, 1996

Before GARWOOD, JOLLY, and DENNIS, Circuit Judges.

PER CURIAM:\*

Gregory Douglas Johnson (#652074) appeals from the district court's dismissal of his petition for writ of habeas corpus, 28 U.S.C. § 2254. He argues that the State withheld favorable, material evidence in violation of Brady v. Maryland, 373 U.S. 83 (1963), the state trial court erred in denying his motion for new trial on that basis, and that the evidence was insufficient.

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

We have reviewed the arguments and the record and perceive no reversible error. We affirm the district court's dismissal of Johnson's petition.

AFFIRMED.