

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-50235
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellant,

versus

GEORGE RODRIGUEZ,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. A-95-CV-430
- - - - -

December 4, 1996

Before REAVLEY, BARKSDALE and DENNIS, Circuit Judges.

PER CURIAM:*

George Rodriguez, federal inmate #56267-080, appeals the denial of his 28 U.S.C. § 2255 motion.

To the extent that Rodriguez requires a certificate of appealability (COA) in order to appeal the district court's order, we conclude that Rodriguez has not made a substantial showing of the denial of a federal right. See 28 U.S.C.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

§ 2253(c)(2). Whether or not a COA is required, Rodriguez's arguments lack merit and the district court did not err in denying § 2255 relief.

AFFIRMED. COA DENIED.