

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-31000
Summary Calendar

DAVID HAMPTON,

Petitioner-Appellant,

versus

DAVID RARDIN, Warden,

Respondent-Appellee.

- - - - -
Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 97-CV-817
- - - - -

February 26, 1998

Before WIENER, BARKSDALE and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

David Hampton requests a certificate of probable cause to appeal from the district court's denial of his federal habeas petition. He attacks two state juvenile sentences that were used to calculate his criminal history under the federal sentencing guidelines. He argues that he was required to serve more time than was originally ordered by the juvenile court.

Because Hampton filed the application after the enactment of the Antiterrorism and Effective Death Penalty Act of 1996, a

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

certificate of appealability (COA), if applicable, is required. 28 U.S.C. § 2253. Hampton's state records make clear that his state juvenile sentences were ordered to be served consecutively. Accordingly, the judgment of the district court is AFFIRMED. To the extent that a COA is required, it is DENIED because Hampton has not made a substantial showing of the denial of a constitutional right. See 28 U.S.C. § 2253(c)(2).

AFFIRMED. COA DENIED.