

UNITED STATES COURT OF APPEALS
For the Fifth Circuit

No. 98-30712
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

VERSUS

JAMES GORDON KELLER,

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Louisiana
(97-CR-102-ALL-B-M2)

March 25, 1999

Before DAVIS, DUHÉ, and PARKER, Circuit Judges.

PER CURIAM:¹

James Gordon Keller appeals the denial of his habeas corpus petition for failure to exhaust his administrative remedies. Keller argues that he is not required to exhaust his administrative remedies because doing so would be futile. Keller has not demonstrated the futility of administrative review. See Fuller v. Rich, 11 F.3d 61, 62 (5th Cir. 1994). Accordingly, the district court did not abuse its discretion in denying Keller's petition for failure to exhaust his administrative remedies. See Fuller, 11 F.3d at 62; United States v. Dowling, 962 F.2d 390, 393 (5th Cir. 1992).

¹Pursuant 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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

AFFIRMED.