

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-10993
Conference Calendar

DANIEL IFY IWEGBU,

Petitioner-Appellant,

versus

RALPH J. PAYNE, Warden,

Respondent-Appellee.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 5:00-CV-271-C

December 13, 2000

Before DAVIS, STEWART, and PARKER, Circuit Judges.

PER CURIAM:*

Daniel Ify Iwegbu (#22600-077) has appealed the district court's judgment dismissing with prejudice his application for a writ of habeas corpus under 28 U.S.C. § 2241. Iwegbu contends that he did not have a complete trial transcript on direct appeal and that he received ineffective assistance of counsel at trial. The district court held that Iwegbu's claims cannot be brought in a proceeding under 28 U.S.C. § 2241. Iwegbu contends that, under the "savings clause" of 28 U.S.C. § 2255, he should be permitted to pursue relief under 28 U.S.C. § 2241. Iwegbu has failed to

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

carry his burden of showing that his remedies under 28 U.S.C. § 2255 are inadequate or ineffective. See Kinder v. Purdy, 222 F.3d 209, 212-15 (5th Cir. 2000); Pack v. Yusuff, 218 F.3d 448, 452-53 (5th Cir. 2000). The judgment is AFFIRMED.

Iwegbu has moved for leave to supplement his brief with an exhibit pertinent to his denial-of-trial-transcript claim. Because it is not necessary to consider this claim to resolve the appeal, the motion is DENIED.

JUDGMENT AFFIRMED; MOTION DENIED.