

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-50569
Conference Calendar

JACINTO ARZATE-CORNEJO,

Petitioner-Appellant,

versus

R. D. MILES, Warden,

Respondent-Appellee.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. A-99-CV-471-SS

- - - - -
December 13, 2000

Before DAVIS, STEWART, and PARKER, Circuit Judges.

PER CURIAM:*

Jacinto Arzate-Cornejo, federal prisoner # 91427-011, appeals from the denial of his petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. Arzate-Cornejo argues that he has not received all the credit that he is due toward his federal sentence. Under 18 U.S.C. § 3585(b), Arzate-Cornejo may be awarded credit toward his term of imprisonment for any time he spent in official detention prior to the commencement of his sentence that was not credited against another sentence. Because Arzate-Cornejo received credit toward his state sentence during

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

this period, he may not receive credit toward his federal sentence. Accordingly, the judgment of the district court is AFFIRMED.