

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-10256

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NOBLE D. MAYS, JR.,

Petitioner-Appellant,

VERSUS

WAYNE SCOTT,  
Director, Texas Department of Criminal Justice,  
Institutional Division,

Respondent-Appellee.

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Appeal from the United States District Court  
for the Northern District of Texas  
(7:89-CV-006-A)

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(March 30, 1995)

Before SMITH, EMILIO M. GARZA, and PARKER, Circuit Judges.

PER CURIAM:\*

The order appealed from, denying petitioner's motion to vacate and re-enter judgment, is affirmed, essentially for the reasons set forth in the district court's opinion of March 7, 1995. Accordingly, we have no jurisdiction over the merits of this habeas corpus matter. As this is a capital habeas case, however, we wish

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\* Local Rule 47.5.1 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that rule, the court has determined that this opinion should not be published.

to note that we have reviewed the district court's sixty-four-page opinion of April 15, 1994, and agree with its conclusions. We commend the district court for its careful and thorough examination of the issues. Petitioner's habeas claims are wholly without merit.

The order appealed from is AFFIRMED. The motion for stay of execution is DENIED.