

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-10653
Conference Calendar

JAMES R. FISHER,

Petitioner-Appellant,

versus

UNITED STATES OF AMERICA,

Respondent-Appellee.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:95-CV-01185-R
- - - - -

February 29, 1996

Before GARWOOD, JONES, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

James R. Fisher appeals from the district court's order denying habeas relief pursuant to 28 U.S.C. § 2241. He argues that he was "in custody" during the time he was awaiting sentencing on his federal conviction because he was subject to restraints not shared by the public generally. We have reviewed the record and the district court's order and find no reversible error. Because Fisher challenges the legality of his conviction,

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

any claims that arose at or prior to sentencing and that cannot be brought on direct appeal must be addressed in a subsequent § 2255 motion. See United States v. Gabor, 905 F.2d 76, 77 (5th Cir. 1990).

AFFIRMED.