

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-20237
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

NAGI GEORGE RAYA,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC Nos. CA-H-93-3544 c/w CR-H-89-250

- - - - -
December 21, 1995

Before DAVIS, STEWART, and PARKER, Circuit Judges.

PER CURIAM:*

Nagi George Raya appeals the dismissal of his second 28 U.S.C. § 2255 motion as an abuse of the writ. Raya challenges the district court's holding that Raya had not stated cause for failing to raise his ineffective-assistance-of-counsel issue in his first § 2255 motion. Raya also contends that dismissal of his motion would result in a fundamental miscarriage of justice. We have carefully reviewed the record and hold that the district court did not abuse its discretion in dismissing the motion as an abuse of the writ.

AFFIRMED.

* Local Rule 47.5.1 provides: "The publication of opinions that 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 Pursuant to that Rule, the court has determined that this opinion should not be published.