

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-30625
Summary Calendar

JOSEPH HAYES,

Petitioner-Appellant,

versus

RICHARD P. IEYOUB, Attorney General,
State of Louisiana,

Respondent-Appellee.

- - - - -
Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 95-30625

- - - - -
February 21, 1996

Before KING, SMITH and BENAVIDES, Circuit Judges.

PER CURIAM:*

Joseph Hayes appeals the district court's dismissal with prejudice of his 28 U.S.C. § 2254 petition because his fingerprints were not affixed to his bill of information and because the trial court admitted Xerox copies of his bill of information and fingerprints to prove his identity as the person charged in the information.

To the extent that Hayes attempts to argue that his bill of information is defective, this is a new issue on appeal, and we

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

will not consider it. See Varnado v. Lynaugh, 920 F.2d 320, 321 (5th Cir. 1991). Also, because Hayes does not argue his sufficiency-of-the-evidence argument, he has abandoned it, and we will not address it. See Yohey v. Collins, 985 F.2d 222, 224-25 (5th Cir. 1993).

We have reviewed the record and find no reversible error. Accordingly, we affirm for essentially the same reasons given by the district court.

AFFIRMED.