

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-31285
Summary Calendar

HILTON JOSEPH WRIGHT,

Petitioner-Appellant,

versus

RICHARD P. IEYOUB, Attorney General,
State of Louisiana; BURL CAIN, Acting Warden,
Louisiana State Penitentiary,

Respondents-Appellees.

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Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 95-CV-1225-D
- - - - -

October 24, 1996

Before GARWOOD, JOLLY and STEWART, Circuit Judges.

PER CURIAM:*

Hilton Wright, #97085, appeals the district court's judgment denying his petition for habeas corpus relief. Wright contends that testimony at his state-court trial regarding an uncounseled lineup was erroneously admitted; that photographic identification procedures in his case were impermissibly suggestive; and that this court should consider an affidavit sworn by Simon Duplessis.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

We have reviewed the record and the briefs of the parties and we find no reversible error. We affirm the disposition of Wright's contention regarding the uncounseled lineup for essentially the reasons relied on by the district court. See *Wright v. Ieyoub*, No. 95-CV-1225-D (E.D. La. Nov. 22, 1995). Wright's contention that the photographic lineup displays in the case were unduly suggestive is conclusional; his contention does not raise a constitutional issue. See *Koch v. Puckett*, 907 F.2d 524, 530 (5th Cir. 1990). Finally, Wright has not shown that Duplessis's statement was not reasonably available to him during his state-court proceedings. See *Townsend v. Sain*, 372 U.S. 293, 317 (1963).

AFFIRMED.