

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-50169
Conference Calendar

RICHARD GREY KIRBY,

Petitioner-Appellant,

versus

ROBERT V. FRANCO, WARDEN,
FEDERAL PRISON CAMP, EL PASO, TEXAS

Respondent-Appellee.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. EP-95-CV-405
- - - - -

August 21, 1996

Before KING, DUHÉ, and DeMOSS, Circuit Judges.

PER CURIAM:*

Appellant Richard Grey Kirby, #23415-077, appeals the district court's determination that it lacked jurisdiction over his petition for habeas relief made pursuant to 28 U.S.C. § 2241. We have examined the record and Kirby's arguments and find no error in the reasons given by the district court. Kirby v. Franco, No. EP-95-CV-405-F (W.D. Tex. Feb. 12, 1996).

AFFIRMED.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.