

UNITED STATES COURT OF APPEALS
FIFTH CIRCUIT

No. 98-50048
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MELVIN HICKS,
also known as James Robinson,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
(W-95-CA-303 & W-93-CR-85-1)

April 8, 1999

Before EMILIO M. GARZA, DeMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Melvin Hicks (“Hicks”) has appealed the denial of his petition for post-conviction relief under 28 U.S.C. § 2255. He argues that the district court erred in denying him his ineffective assistance of counsel claims. Hicks has failed to show that he was prejudiced by his counsel’s alleged ineffective assistance. *See Lockhart v. Fretwell*, 506 U.S. 364, 369 (1993); *Strickland v. Washington*, 466 U.S. 668, 694 (1984). Accordingly, we AFFIRM the judgment of the district court.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.