

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 97-41266  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

FAXON DOUGLAS MULHOLLAN,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 1:96-CV-166

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September 30, 1998

Before KING, BARKSDALE and STEWART, Circuit Judges.

PER CURIAM:\*

Faxon Douglas Mulhollan, federal prisoner no. 99321-012, appeals the district court's denial of his 28 U.S.C. § 2255 motion to vacate, set aside, or correct sentence. Mulhollan argues that (1) he was denied effective assistance of counsel, (2) the district court erred in applying the sentencing guidelines, (3) exculpatory and/or impeachment evidence was improperly withheld, (4) the district court improperly refused to review Government evidence to ensure that exculpatory and/or evidence was provided to him, and (5) the district court improperly mischaracterized the evidence during jury instructions. Having reviewed the record and the arguments on appeal, we affirm for essentially the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

same reasons adopted by the district court. See United States v. Mulhollan, 1:96-CV-166 (E.D. Tex. Sept. 15, 1997).

AFFIRMED.