

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-40442
Conference Calendar

ERIC ANTHONY BISHOP,

Petitioner-Appellant,

versus

GARY L. JOHNSON, DIRECTOR
TEXAS DEPARTMENT OF CRIMINAL JUSTICE,
INSTITUTIONAL DIVISION,

Respondent-Appellee.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No.G-87-CV-519
- - - - -

February 9, 1999

Before BARKSDALE, and EMILIO M. GARZA, Circuit Judges.*

PER CURIAM:**

Eric Anthony Bishop, Texas prisoner no. 635964, appeals the district court's denial of his petition for a writ of habeas corpus. The district court correctly applied the tolling provisions of 28 U.S.C. § 2244(d). See Fields v. Johnson, 159 F.3d 914, 915 (5th Cir. 1998); see also Flanagan v. Johnson, 154 F.3d 196, 199 n.1 (5th Cir. 1998).

*This matter is being decided by a quorum. 28 U.S.C. § 46(d).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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AFFIRMED.