

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-50194
Summary Calendar

ALVIN BOYD COUNTY,

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 Western District of Texas
USDC No. SA-97-CV-668
- - - - -

April 8, 1999

Before HIGGINBOTHAM, JONES, and DENNIS, Circuit Judges.

PER CURIAM:*

The district court granted Alvin Boyd County, Texas state prisoner #717485, a certificate of appealability limited to the issues whether his guilty plea was rendered involuntary because of a threat from the state trial judge and whether he was entitled to a federal evidentiary hearing on that issue. We have reviewed the record and find no reversible error. County has not met his burden of proving that his guilty plea was involuntarily entered because

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

the trial judge threatened to sentence him to life imprisonment if he went to trial and was found guilty. The court has not considered the additional issues raised by County. See *Lackey v. Johnson*, 116 F.3d 149, 151-52 (5th Cir. 1997). Accordingly, the judgment of the district court denying County's federal habeas petition is AFFIRMED for essentially the reasons stated by the district court. See *County v. Johnson*, No. SA-97-CA-668FB (W.D. Tex. Feb. 5, 1998).

AFFIRMED.