

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-10444
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DOUGLAS RAY DUNKINS, JR.,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:92-CR-010-3-Y

- - - - -
April 11, 2000

Before WIENER, DeMOSS, and PARKER, Circuit Judges.

PER CURIAM:*

Douglas Ray Dunkins, federal prisoner # 22619-077, appeals the district court order denying his motion for the release of grand jury transcripts, Fed. R. Crim. P. 6(e). Because Dunkins fails to meet his burden of showing a particularized need for the grand jury materials, the district court did not abuse its discretion by denying his request. See United States v. Miramontez, 995 F.2d 56, 59 (5th Cir. 1993). The court's judgment is AFFIRMED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Dunkins' request that this court order the district court to conduct an in camera hearing to determine the identity of a confidential informant is DENIED. Mandamus relief is not available to review discretionary acts. Giddings v. Chandler, 979 F.2d 1104, 1108 (5th Cir. 1992). The district court's decision whether to hold an in camera hearing is an exercise of the court's discretion. United States v. Orozco, 982 F.2d 152, 155 (5th Cir. 1993).

JUDGMENT AFFIRMED; MOTION DENIED.