

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 96-1543

Stanley Joseph,	*	
	*	
Petitioner/Appellant,	*	
	*	Appeal from the United States
v.	*	District Court for the
	*	Eastern District of Missouri.
James A. Gammon,	*	
	*	[Unpublished]
Respondent/Appellee.	*	

Submitted: April 16, 1997

Filed: April 25, 1997

Before FAGG, FLOYD R. GIBSON, and MURPHY, Circuit Judges.

PER CURIAM.

Stanley Joseph appeals from the denial of his petition for a writ of habeas corpus under 28 U.S.C. § 2254. Joseph pled guilty in state court to assorted counts of assault, robbery, and battery. After his petition for post conviction relief was denied, he filed this action claiming that he had been improperly classified as a Class X offender under Mo. Rev. Stat. § 558.019.4(3) and that his counsel in state court had been ineffective and had a conflict of interest with him. The district court¹ denied relief after concluding that Joseph had procedurally defaulted the sentencing claim, that an evidentiary hearing was not necessary on the other claims, and that the claims were without merit. After reviewing

¹The Honorable Jean C. Hamilton, Chief United States District Judge for the Eastern District of Missouri.

the record and considering the parties' arguments, we affirm on the basis of the district court's opinion. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.