

United States Court of Appeals

FOR THE EIGHTH CIRCUIT

No. 96-3203

Charles Patterson,

Appellant,

v.

Larry Norris, Director,
Arkansas Department of
Correction,

Appellee.

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Appeal from the United States
District Court for the
Eastern District of Arkansas.
[UNPUBLISHED]

Submitted: February 12, 1997

Filed: March 28, 1997

Before BOWMAN and WOLLMAN, Circuit Judges, and BOGUE,¹ District
Judge.

PER CURIAM.

Charles Patterson appeals the district court's² denial of his 28 U.S.C. § 2254 petition. Patterson contends that the sixteen-month, six-day delay in bringing him to trial in state court--in part the product of his two intervening federal criminal trials--

¹The HONORABLE ANDREW W. BOGUE, United States District Judge for the District of South Dakota, sitting by designation.

²The Honorable Stephen M. Reasoner, United States District Judge for the Eastern District of Arkansas, adopting the report and recommendation of the Honorable H. David Young, United States Magistrate Judge for the Eastern District of Arkansas.

constituted a denial of his speedy trial rights under the Sixth Amendment and the Interstate Agreement on Detainers and his due process rights. The State argues that these claims are procedurally barred and are without merit. We reach the merits of Patterson's claims, and affirm for the reasons stated in the district court's opinion, particularly its finding that Patterson suffered no prejudice from the delay. The judgment is affirmed. See 8th Cir. R. 47B.

A true copy.

Attest:

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