

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 96-4279

Terry T. Barrett, *
*
Appellant, *
Appeal from the United States *
*
District Court for the *
v. *
Western District of Missouri. *
*
United States of America, * [UNPUBLISHED]
*
Appellee. *

Submitted: September 3, 1997
Filed: September 10,

1997

Before WOLLMAN, LOKEN, and HANSEN, Circuit Judges.

PER CURIAM.

In this 28 U.S.C. § 2255 proceeding, Terry T. Barrett appeals the district court's¹ application of a firearm enhancement to his drug sentence, see U.S. Sentencing Guidelines Manual § 2D1.1(b)(1) (1995), after it vacated Barrett's 18 U.S.C. § 924(c)(1) conviction under Bailey v. United States, 116 S. Ct. 501 (1995). After a careful

¹The Honorable Fernando J. Gaitan, Jr., United States District Judge for the Western District of Missouri.

review of the record and the parties' submissions, we conclude Barrett's arguments are foreclosed. See Gardiner v. United States, 114 F.3d 734, 735-37 (8th

Cir. 1997); United States v. Harrison, 113 F.3d 135, 137-38 (8th Cir. 1997).

Accordingly, we affirm the judgment of the district court.

A true copy.

Attest:

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