

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 98-1242

Walter R. Olinghouse,

Appellant,

v.

Dave Dormire; Jeremiah (Jay) W.
Nixon, Attorney General of the State of
Missouri,

Appellees.

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Appeal from the United States
District Court for the Western
District of Missouri.

[UNPUBLISHED]

Submitted: September 16, 1999

Filed: September 22, 1999

Before BEAM and FAGG, Circuit Judges, and BOGUE,* District Judge.

PER CURIAM.

Walter R. Olinghouse appeals the district court's denial of his 28 U.S.C. § 2254 petition for writ of habeas corpus. Olinghouse first contends he is entitled to habeas relief because the state trial court denied his motion to inform the jury of the parole consequences of a capital murder conviction when, as in Olinghouse's case, the maximum possible sentence was life imprisonment. Olinghouse's argument is meritless

*The Honorable Andrew W. Bogue, United States District Judge for the District of South Dakota, sitting by designation.

because a defendant who is not subject to the death penalty has no constitutional right to inform the jury of the parole consequences of his conviction. We also reject Olinghouse's second contention that the state trial court improperly admitted evidence of his confession to law enforcement officers because, contrary to Olinghouse's view, the confession was obtained by constitutional means.

We thus affirm the denial of Olinghouse's petition for writ of habeas corpus. See 8th Cir. R. 47B.

A true copy.

Attest:

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