

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

No. 97-2708

Anthony P. Johnson,

Appellant,

v.

United States of America,

Appellee.

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Appeal from the United States
District Court for the
District of Minnesota.

[UNPUBLISHED]

Submitted: October 28, 1999
Filed: November 5, 1999

Before BOWMAN, FAGG, and MURPHY, Circuit Judges.

PER CURIAM.

Anthony P. Johnson challenges the District Court's¹ judgment denying his 28 U.S.C. § 2255 motion. For reversal, he claims his trial counsel was ineffective for not allowing him to testify. Having carefully reviewed the record and the parties' briefs, we reject Johnson's claim and affirm. See 8th Cir. R. 47B.

¹The Honorable David S. Doty, United States District Judge for the District of Minnesota.

A true copy.

Attest:

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