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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

WILLIAM GILCHRIST,

Petitioner - Appellant,

v.

A. A. LAMARQUE, Warden,

Respondent - Appellee.

No. 08-15314

D.C. No. CV-04-00920-FCD

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Frank C. Damrell, District Judge, Presiding

Submitted December 15, 2009**

Before: GOODWIN, WALLACE, and FISHER, Circuit Judges.

California state prisoner William Gilchrist appeals pro se from the district court's judgment dismissing his 28 U.S.C. § 2254 habeas petition. We have jurisdiction pursuant to 28 U.S.C. § 2253, and we affirm.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Gilchrist contends that his trial counsel was ineffective for failing to object to the admission of certain evidence. The record reflects that Gilchrist has failed to show prejudice from the allegedly deficient performance or that the state court's rejection of his ineffective assistance of counsel claim was an unreasonable application of clearly established United States Supreme Court precedent. *See* 28 U.S.C. § 2254(d); *see also Strickland v. Washington*, 466 U.S. 668 (1984).

AFFIRMED.