

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 04-2786

Phillip D. McFarland,

Appellant,

v.

State of Iowa,

Appellee.

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* Appeal from the United States
* District Court for the
* Southern District of Iowa.
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* [UNPUBLISHED]
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Submitted: September 7, 2005
Filed: October 10, 2005

Before MELLOY, MAGILL, and GRUENDER, Circuit Judges.

PER CURIAM.

Phillip McFarland appeals the district court's¹ denial of his 28 U.S.C. § 2254 petition. The district court granted a certificate of appealability limited to the issue whether defense counsel should have requested a jury instruction regarding the common law right to bounty hunt. We affirm for the reasons explained by the district court. See 8th Cir. R. 47B.

¹The Honorable James E. Gritzner, United States District Judge for the Southern District of Iowa.