

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 15-30566
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

March 3, 2016

Lyle W. Cayce
Clerk

FREDERICK L. BODISON,

Petitioner-Appellant

v.

T. G. WERLICH, Warden, Federal Correctional institution Pollock Medium,

Respondent-Appellee

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 1:15-CV-177

Before SMITH, BENAVIDES, and HAYNES, Circuit Judges.

PER CURIAM:*

Frederick L. Bodison, federal prisoner # 56614-018, filed a petition under 28 U.S.C. § 2241 asserting that the Bureau of Prisons (BOP) abused its discretion in denying him credit against his federal sentence for the time he served in state custody from October 15, 2011, through March 13, 2012. The district court determined that, pursuant to 18 U.S.C. § 3585(b), Bodison was not entitled to any credit for the period running from October 15, 2011, through

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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March 13, 2012, because he had received credit for that time against his state sentence. We review the district court's legal conclusions de novo and its factual findings for clear error. *Free v. Miles*, 333 F.3d 550, 552 (5th Cir. 2003).

A defendant is to be given credit toward his term of federal imprisonment for any time he spent in official detention prior to the commencement of his sentence "that has not been credited against another sentence" and that was the result of either his federal offense or any other charge for which the defendant was arrested after the commission of his federal offense. § 3585(b). There was no error in denying Bodison credit for time he spent in the Orange County jail from his arrest on October 15, 2011, through the completion of his six-month state sentence on March 13, 2012. *See Leal v. Tombone*, 341 F.3d 427, 430 (5th Cir. 2003).

AFFIRMED.