

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 00-31353  
Summary Calendar

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RICHARD MCKEATHEN,

Plaintiff-Appellant,

versus

RICHARD L. STALDER; ET AL.,

Defendants,

WILLIAM MIKE GILLIAM, Warden; MIKE PHILLIPS;  
AMANDA MOORE; MARCELL MILLS,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 95-CV-1297

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June 21, 2001

Before POLITZ, DAVIS, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Richard McKeathen appeals the district court's order denying his post-judgment motion for leave to file a third supplemental and amending complaint which restates his claim for damages under the Americans with Disabilities Act. McKeathen did not ask the trial court to vacate the judgment under Fed. R. Civ. P. 59 or 60. Nor has he made any effort to show that he could not have raised the allegations in his proposed supplemental and amended complaint prior to the district court's merits ruling.<sup>1</sup> Our review of the record persuades that McKeathen has not shown that the district court abused its discretion in this matter.<sup>2</sup>

The order appealed is **AFFIRMED**.

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<sup>1</sup>Vielma v. Eureka Co., 218 F.3d 458 (5th Cir. 2000).

<sup>2</sup>Bridle v. Scott, 63 F.3d 364 (5th Cir. 1995).