

**UNITED STATES COURT OF APPEALS
For the Fifth Circuit**

No. 00-51254

TIMOTHY CARTER,

Plaintiff - Appellant,

VERSUS

TEXAS DEPARTMENT OF HEALTH,

Defendant - Appellee.

Appeal from the United States District Court
For the Western District of Texas

(SA-99-CV-82)

December 10, 2001

Before GARWOOD, DeMOSS, and DENNIS, Circuit Judges.

PER CURIAM:*

AFFIRMED. See 5TH CIR. R. 47.6.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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