

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 94-40671

Summary Calendar

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MARIO A. YARRITO,

Plaintiff-Appellant,

versus

CHARLIE M. PAGE et al.,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Eastern District of Texas  
(6:94-CV-8)

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(December 20, 1994)

Before GARWOOD, HIGGINBOTHAM, and DAVIS, Circuit Judges.

PER CURIAM:\*

Mario Yarrito, a prisoner, filed this § 1983 suit against seven prison guards, alleging that they kicked and hit him and threatened to harm him unless he stopped filing prison grievances. He seeks a preliminary injunction or TRO, but the district court did not abuse its discretion in finding no substantial likelihood of success on the merits. Thus, we AFFIRM the denial of the motion

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\*Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

for a preliminary injunction and unit transfer and DENY Yarrito's motion to strike appellees' brief.