

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 94-40912
Conference Calendar

RIO LE' SHILOH-BRYANT,

Plaintiff-Appellant,

versus

JAMES C. SHERIDAN, Etc.,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 94-CV-155

- - - - -
(November 15, 1994)

Before JONES, DUHÉ, and PARKER, Circuit Judges.

PER CURIAM:*

Roi Le' Shiloh-Bryant concedes that he was contemporaneously aware of Correctional Officer James C. Sheridan's actions during a September 1990 incident in which Sheridan restrained Shiloh-Bryant. Accordingly, the district court did not abuse its discretion by dismissing this suit, filed March 3, 1994, as time-barred. Ancar v. Sara Plasma, Inc., 964 F.2d 465, 468 (5th Cir. 1992); see Tex. Civ. Prac. & Rem. Code § 16.003(a) (West 1986); see also Burrell v. Newsome, 883 F.2d 416, 418 (5th Cir. 1989).

* 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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

The denial of Shiloh-Bryant's motion for appointment of counsel was also within the discretion of the district court. Jackson v. Dallas Police Dep't, 811 F.2d 260, 261 (5th Cir. 1986).

AFFIRMED.