

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 94-50427
Conference Calendar

STEVEN D. HAMILTON,

Plaintiff-Appellant,

versus

BOARD OF PARDONS & PAROLES,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. A-93-CA-422
- - - - -
(March 23, 1995)

Before GARWOOD, BARKSDALE, and STEWART, Circuit Judges.

PER CURIAM:*

Texas prisoner Steven D. Hamilton's suit against the Texas Board of Pardons and Paroles is barred by the Eleventh Amendment. Loya v. Texas Dep't of Corrections, 878 F.2d 860, 861-62 (5th Cir. 1989); see Alberti v. Sheriff of Harris County, Texas, 937 F.2d 984, 1003 (5th Cir. 1991), cert. denied, 112 S. Ct. 1994 (1992). Therefore, the district court did not err by dismissing the suit.

The judgment is modified to be one of dismissal for want of jurisdiction, and as modified, is AFFIRMED.

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 Pursuant to that Rule, the Court has determined that this opinion should not be published.