

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-10703  
Summary Calendar

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MORTON HOFFMAN et al,

Plaintiffs,

MORTON HOFFMAN,

Plaintiff-Appellant,

versus

CHARLES R. SHEFFIELD, in  
official capacity as Dallas  
Police Officer,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:91-CV-973-R  
- - - - -

August 8, 1996

Before SMITH, DUHÉ and BARKSDALE, Circuit Judges.

PER CURIAM:<sup>1</sup>

Morton Hoffman appeals the verdict for the defendant, Charles R. Sheffield, following a jury trial in his 42 U.S.C. § 1983 action. He contends that the district court erred by admitting an exhibit into evidence regarding a conviction for disorderly conduct

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<sup>1</sup> Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

that he maintains is invalid and that such

admission and the references to the exhibit unfairly prejudiced his trial.

Because Hoffman did not object to the admission of the exhibit or the references to it at the time of trial, the district court's admission of the exhibit is reviewed for plain error. See Douglass v. United Services Auto. Ass'n, 79 F.3d 1415, 1420 (5th Cir. 1996) (en banc); Robertson v. Plano City of Texas, 70 F.3d 21, 23 (5th Cir. 1995).

Morton's conviction was still valid at the time of trial. Therefore, Morton does not demonstrate a clear or obvious error by the admission of the exhibit regarding the conviction for disorderly conduct. See United States v. Calverley, 37 F.3d 160, 162-64 (5th Cir. 1994)(en banc), cert. denied, 115 S. Ct. 1266 (1995).

AFFIRMED.