

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-21049
Summary Calendar

JESSE NELSON, JR.,

Plaintiff - Appellant,

versus

LESTER H. BEAIRD; C.C. BELL; K. ESTEP, CORP.,

Defendants - Appellees.

Appeal from the United States District Court
for the Southern District of Texas
(H-90-CV-2221)

September 13, 1996

Before SMITH, DUHÉ, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Jesse Nelson, Jr., Texas inmate #688621, appeals the summary judgment granted the defendants in his 42 U.S.C. § 1983 action, in which he claimed he was the victim of malicious prosecution.

Nelson urges that the defendants' evidence was incompetent, that the lack of detail in the affidavits concerning his purportedly criminal behavior, which led to the indictment,

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

indicates that he committed no crime, and that the district court improperly weighed evidence.

Pursuant to our *de novo* review, we affirm for essentially those reasons stated in the district court's summary judgment order. See **Nelson v. Beaird**, No. H-90-2221 (S.D. Tex. Nov. 1, 1995).

Nelson challenges the district court's denial of his motion for reconsideration. But, because Nelson failed to amend or alter his notice of appeal for the purpose of appealing this order, which was entered after he filed that notice, we lack jurisdiction to review the denial. See Fed. R. App. P. 4(a)(4).

AFFIRMED