

**UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 95-21086
Summary Calendar

THAO DANG,

Plaintiff-Appellant,

versus

JOHNNY KLEVENHAGEN, Sheriff;
H.D. MAYBERRY; HARRIS COUNTY,

Defendants-Appellees.

Appeal from the United States District Court
For the Southern District of Texas
(CA H 94-0643)

May 27, 1996

Before POLITZ, Chief Judge, KING and DUHÉ, Circuit Judges.

PER CURIAM:*

The *pro se* and *in forma pauperis* complaint of Thao Dang alleges violations of 42 U.S.C. § 1983 because of inadequate medical treatment received while a prisoner in the Harris County jail. The district court conducted a **Spears** hearing after reviewing various pleadings and thereafter dismissed the complaint as frivolous under 28 U.S.C. § 1915(d).

Our review of the record and Dang's brief discloses no eighth amendment violation in the furnishing of medical care and treatment to Dang and, for essentially the reasons set

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

forth by the district court on the record at conclusion of the **Spears** hearing on November 20, 1995, the judgment appealed is **AFFIRMED**.