

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-40679
Conference Calendar

ROBERT WAYNE MITCHELL,

Plaintiff-Appellant,

versus

ROBERT J. PARKER, WARDEN; JAMES E. STEWARD; DIANA L. KELLY,
FEMALE; RANDOLPH T. MCVEY, ADMINISTRATOR OF DEPARTMENTAL
GRIEVANCES,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 6:94-CV-107
- - - - -

October 23, 1996

Before POLITZ, Chief Judge, and JOLLY and HIGGINBOTHAM, Circuit Judges.

PER CURIAM:*

Robert Wayne Mitchell, #599854, appeals the judgment of the district court dismissing his civil rights action. He argues that the appellees violated his Eighth Amendment rights by assigning him to perform work in the field that was inconsistent with his medical classification. We have reviewed the record and Mitchell's brief and AFFIRM the district court's dismissal for

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

essentially the same reasons adopted by the district court.

Mitchell v. Parker, No. 6:94-CV-107 (E.D. Tex. Aug. 3, 1995).

AFFIRMED.