

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-60690
Summary Calendar

PATRICK N. JACKSON,

Plaintiff-Appellant,

versus

JACKSON COUNTY, MISSISSIPPI, ET AL.,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 1:95-CV-119
- - - - -

June 27, 1996

Before SMITH, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

The uncontroverted summary judgment evidence shows that the arrest and prosecution of Patrick N. Jackson was based on probable cause. Thus, Jackson has failed to establish that he suffered a constitutional injury and it was unnecessary for the district court to reach the issue of qualified immunity. See Gerstein v. Pugh, 420 U.S. 103, 117 & n.19 (1975); Brummett v. Camble, 946 F.2d 1178, 1183 (5th Cir. 1991), cert. denied, 504

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

U.S. 965 (1992); Duckett v. City of Cedar Park, Tex., 950 F.2d 272, 278-79 (5th Cir. 1992); Wallace v. Texas Tech University, 80 F.3d 1042, 1047 (5th Cir. 1996).

Jackson's appellate brief does not address the district court's dismissal of his pendant state-law claims; thus, those issues are abandoned. Brinkmann v. Dallas County Deputy Sheriff Abner, 813 F.2d 744, 748 (5th Cir. 1987); FED. R. APP. P. 28(a)(6).

The district court did not abuse its discretion by denying Jackson's FED. R. CIV. P. 56(f) motion for a continuance and discovery. International Shortstop, Inc. v. Rally's, Inc., 939 F.2d 1257, 1266-67 (5th Cir. 1991), cert. denied, 502 U.S. 1059 (1992); Leatherman v. Tarrant County Narcotics Intelligence & Coordination Unit, 28 F.3d 1388, 1395-96 (5th Cir. 1994).

AFFIRMED.