

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-10193
Conference Calendar

BILLY R. CONNOR,

Plaintiff-Appellant,

versus

CHARLES MARMOLEJO, CHARLES
REED, J. KELLER, DALE BROWN,
Warden, FCI, Big Spring, TX;
SANDRA KAZ,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 1:95-CV-135
- - - - -

October 24, 1996

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

PER CURIAM:*

Billy R. Connor appeals the summary-judgment dismissal of his complaint pursuant to 42 U.S.C. § 1983. Connor's § 1983 complaint is construed as an action brought pursuant to Bivens v. Six Unknown Named Agents, 403 U.S. 388 (1971), because it alleges a civil rights violation by federal defendants. See Stephenson v. Reno, 28 F.3d 26, 26 n.1 (5th Cir. 1994). Connor contends that the district court erred by granting summary judgment

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

because he raised genuine issues of material fact. We have reviewed the record and Connor's brief and AFFIRM the district court's grant of summary judgment for essentially the same reasons set forth by the district court. Connor v. Marmolejo et al., No. 1:95-CV-135 (N.D. Tx. Jan. 29, 1996).

AFFIRMED.