

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-11345  
Conference Calendar

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MICHAEL A. SPEARMAN,

Plaintiff-Appellant,

versus

CO III P. SYLER;  
TEXAS DEPARTMENT OF CRIMINAL JUSTICE;  
WAYNE SCOTT, Director;  
MARK LAUGHLIN,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 5:96-CV-53-C  
- - - - -

June 17, 1997

Before SMITH, STEWART, and DENNIS, Circuit Judges.

PER CURIAM:\*

Michael A. Spearman, Texas inmate number 530480, appeals the partial final judgment pursuant to 28 U.S.C. § 1915(e) for all the defendants in their official capacities and for Defendants Laughlin and Scott in their individual capacities. He argues that his excessive-force claim should not have been dismissed as frivolous. We have reviewed the record and the parties' briefs

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

and AFFIRM for the reasons adopted by the district court.

Spearman v. Syler, No. 5:96-CV-053-C (N.D. Tex. Oct. 3, 1996).

Spearman's motions for a jury trial and for the production of documents should be brought in the district court. His motions to show that the defendants do not have immunity and for default judgement are DENIED.