

UNITED STATES COURT OF APPEALS
For the Fifth Circuit

No. 96-20374
Summary Calendar

AINSWORTH PALMER,

Plaintiff-Appellant,

VERSUS

VICKEY MILLER, ET AL.,

Defendants,

VICKEY MILLER, Officer; AVERY HUFF, Officer;
HOUSTON CITY OF; WOODGATE ASSOCIATES, LTD,
doing business as Woodgate Apartments,

Defendants-Appellees.

Appeal from the United States District Court
For the Southern District of Texas
(CA-H-93-2997)

January 22, 1997

Before SMITH, DUHÉ, and BARKSDALE, Circuit Judges.

PER CURIAM:¹

Ainsworth Palmer appears the district court's grant of summary judgment for the City of Houston (City) and Woodgate Associates

¹Pursuant to Local Rule 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Ltd. (Woodgate). We affirm the district court's grant of the City's and Woodgate's motions for summary judgment for substantially the same reasons cited by the district court. Palmer v. Miller, CA-H-93-2997, (S.D. Tex. Mar. 13, 1996).

Palmer also objects to the dismissal of Johnstown Investment Corp. (JIC). Palmer's appeal of this aspect of the decision is dismissed for failure to comply with Rule 28(a)(6). See Moore v. FDIC, 993 F.3d 106, 107 (5th Cir. 1993) (conclusional brief made without reference to the record subject to dismissal); United States v. Tomblin, 46 F.3d 1369, 1376 n.13 (5th Cir. 1995) (brief must contain a legal argument that indicates the basis for each contention).

AFFIRMED IN PART; DISMISSED IN PART.