

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-20685
Summary Calendar

MICHAEL CARVER FLOWERS,

Plaintiff-Appellant,

versus

PIERCE B. GRITMAN,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. 95-CV-648
- - - - -

January 13, 1997

Before JONES, DeMOSS and PARKER, Circuit Judges.

PER CURIAM:*

Michael Carver Flowers argues that the district court abused its discretion in dismissing his complaint as frivolous.

We have reviewed the record, the opinion of the district court, and the brief, and find that the dismissal of the complaint as frivolous should be affirmed substantially for the reasons stated by the district court. See Flowers v. Gritman, No. 95-CV-648 (S.D. Tex.; June 28, 1996).

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.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 Flowers has failed to raise an issue of arguable merit, the appeal should be dismissed as frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983); 5th Cir. Rule 42.2.

APPEAL DISMISSED.