

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 96-50860  
Summary Calendar

---

RONALD SUTHERLAND,

Plaintiff-Appellant,

versus

BOARD OF PARDONS & PAROLES, ET AL.,

Defendants,

MELINDA BOZARTH; JACK KYLE, Chairman;  
HENRY B. KEENE; JAMES A. COLLINS, DIRECTOR,  
TEXAS DEPARTMENT OF CRIMINAL JUSTICE,  
INSTITUTIONAL DIVISION,

Defendants-Appellees.

- - - - -  
Appeal from the United States District Court  
for the Western District of Texas  
USDC No. A-94-CV-607  
- - - - -

October 27, 1997

Before JOLLY, BENAVIDES, and PARKER, Circuit Judges.

PER CURIAM:\*

Ronald Sutherland, Texas inmate #665770, appeals the district court's dismissal of his civil rights lawsuit, pursuant to 42 U.S.C. § 1983, against the Texas Board of Pardons and Paroles (Board); Board Directors Bob Owens and Melinda Bozarth;

---

\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

Board Chairmen Jack Kyle and Henry B. Keene; and Texas Department of Criminal Justice Director James A. Collins. Sutherland contends that the defendants arrested him on a parole violator's warrant and incarcerated him for alleged parole violations without a hearing.

Sutherland has not challenged the district court's reasons for dismissing the complaint against the Board, Owens, Keene, and Kyle. Accordingly, he has abandoned those issues. See Brinkmann v. Dallas County Deputy Sheriff Abner, 813 F.2d 744, 748 (5th Cir. 1987)(issues not asserted on appeal are abandoned). We have reviewed the record and the briefs of the parties and AFFIRM for essentially the same reasons set forth by the district court. Sutherland v. Texas Board of Pardons, Et Al., No. A-94-CA-607-SS (W.D. Tex. October 7, 1996). The district court did not abuse its discretion by refusing to allow Sutherland to conduct discovery. Richardson v. Henry, 902 F.2d 414, 417 (5th Cir. 1990); International Shortstop, Inc. v. Rally's, Inc., 939 F.2d 1257, 1267 (5th Cir. 1991).

AFFIRMED.