

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-10081
Summary Calendar

BERNARD J. DOLENZ,

Plaintiff-Appellant,

versus

JUDGE TED MARTIN AKIN, JOHN
EARNEST BOUNDY, and MILDRED AVERY,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3-95-CV-1605
- - - - -

October 23, 1997

Before JONES, SMITH, and STEWART, Circuit Judges.

PER CURIAM:*

Bernard Dolenz appeals the dismissal of his § 1983 complaint pursuant to Fed. R. Civ. P. 12(b)(6) and 12(c). We have reviewed the record, and, for substantially the same reasons stated by the district court, we affirm the dismissal. See Dolenz v. Akin, No. 3:95-CV-1605-P (N.D. Tex. Mar. 6, 1996 and Jan. 14, 1997).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

The district court did not abuse its discretion in refusing to allow Dolenz to engage in further discovery pending its determination of the referenced motions to dismiss. Richardson v. Henry, 902 F.2d 414, 417 (5th Cir. 1990); Elliott v. Perez, 751 F.2d 1472, 1478 (5th Cir. 1985). As for Dolenz's state-law claims, the district court did not abuse its discretion in declining to exercise supplemental jurisdiction over those claims. See Cinel v. Connick, 15 F.3d 1338, 1344 (5th Cir. 1994).

AFFIRMED.