

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-10159
Summary Calendar

DAVID LOPEZ,

Plaintiff-Appellant,

versus

TEXAS DEP'T OF CRIMINAL JUSTICE, ET AL.,

Defendants,

WARDEN DREWRY; E.L. WHEELER,
Major; JAIME QUINTANILLA, Captain,

Defendants-Appellees.

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Appeal from the United States District Court
for the Northern District of Texas
USDC No. 1:96-CV-242
- - - - -

September 24, 1997

Before JOLLY, BENAVIDES and PARKER, Circuit Judges.

PER CURIAM:*

David Lopez (#597892), a state prisoner, has appealed the magistrate judge's dismissal of his civil rights claims against against E.L. Wheeler, Jaime Quintanilla, and Warden Drewry, in his individual capacity. We have carefully reviewed the record and Lopez' briefs and hold, for essentially the same reasons as were offered by the magistrate judge, that the magistrate judge

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

did not err in dismissing these claims. See Lopez v. Texas Dep't of Criminal Justice, No. 1:96-CV-242-BA (N.D. Tex. Jan. 15, 1997) (unpublished).

AFFIRMED.