

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-11289
Summary Calendar

ERNESTO S. GONZALEZ,

Plaintiff-Appellant,

versus

CITY OF LUBBOCK, TEXAS, a
Municipal Corporation, ET AL.,

Defendants,

CITY OF LUBBOCK, TEXAS, a
Municipal Corporation,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 5:96-CV-183
- - - - -

August 14, 1998

Before JONES, SMITH, and STEWART, Circuit Judges.

PER CURIAM:*

Ernesto Gonzalez appeals the district court's order granting summary judgment in favor of the City of Lubbock, Texas, and dismissing Gonzalez's 42 U.S.C. § 1983 civil rights action. Gonzalez also appeals the district court's protective order limiting his discovery of certain internal affairs and personnel files of police officers within the Lubbock Police Department.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Gonzalez argues that the district court abused its discretion in limiting his discovery of the Lubbock Police Department's internal affairs files and the personnel files and that the district court erred in granting a summary judgment in favor of the City of Lubbock concerning his claims that the City had a policy or custom of condoning police misconduct, that the City failed to train and supervise its officers adequately, and that police officers initially stopped Gonzalez's vehicle because he was Hispanic. We have reviewed the record and parties' briefs and the AFFIRM the district court's summary judgment for essentially the same reasons set forth by the district court. Gonzalez v. City of Lubbock, Texas, No. 5:96-CV-183 (N.D. Tex. Sept. 25, 1997).

AFFIRMED.