

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-40460
Conference Calendar

JAMES MILTON INGRAM,

Plaintiff-Appellant,

versus

JAMES C. CONNER, Warden, Bradshaw
State Jail; MICHAEL J. BELL, Warden,
Bradshaw State Jail; J.T. MOORE, Officer,
Bradshaw State Jail; J. SELF, Officer,
Bradshaw State Jail; MANAGEMENT TRAINING
CORP. (MTC); BRADSHAW STATE JAIL, Medical
Staff,

Defendants-Appellees.

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Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 6:96-CV-847
- - - - -

October 23, 1997

Before POLITZ, Chief Judge, and WIENER and DENNIS, Circuit Judges.

PER CURIAM:*

James Milton Ingram, Texas prisoner # 720320, appeals the district court's dismissal without prejudice of his 42 U.S.C. § 1983 action for failure to exhaust his administrative remedies pursuant to 42 U.S.C. § 1997e(a). The Prison Litigation Reform Act (PLRA) amended § 1997e(a) to provide that no § 1983 action

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

may be filed by a prisoner until available administrative remedies have been exhausted. § 1997e(a). Because Ingram has not exhausted his administrative remedies, the district court did not err. Ingram may refile his § 1983 action after he has exhausted the available administrative remedies. Ingram's motion for appointment of counsel is DENIED.

AFFIRMED; MOTION FOR APPOINTMENT OF COUNSEL DENIED.