

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 97-40548  
(Summary Calendar)

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EARL TAYLOR, JR.,

Plaintiff-Appellant,

versus

JON SHARP, Doctor,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Southern District of Texas  
(USDC No. G-95-CV-207)  
- - - - -

March 19, 1998

Before WIENER, BARKSDALE and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:\*

Earl Taylor, Texas prisoner # 609594, argues that the district court abused its discretion in dismissing as frivolous his complaint alleging that the defendants have failed to provide him with adequate medical care. Taylor also argues that the district court erred in dismissing the complaint with prejudice.

We have reviewed the record, including the brief of the appellant, and find that the district court's dismissal of the complaint as frivolous was not an abuse of discretion. The

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

judgment is affirmed substantially for the reasons stated by and accepted by the district court. See Taylor v. Sharp, No. G-95-CV-207 (S.D. Tex. Apr. 17, 1997).

Taylor's motion for the appointment of appellate counsel is DENIED.

AFFIRMED.