

UNITED STATES COURT OF APPEALS
FIFTH CIRCUIT

No. 97-40555

(Summary Calendar)

JOHN ERIC JACKSON,

Plaintiff - Appellant,

versus

VICTOR RODRIGUEZ, Chairman, Board of Pardon
and Parole; TEXAS DEPARTMENT OF CRIMINAL
JUSTICE, Transitional Planning Department,
Northern Region,

Defendants - Appellees.

Appeal from the United States District Court
For the Eastern District of Texas
(3:97-CV-9)

July 7, 1998

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

PER CURIAM:*

John Eric Jackson, Texas prisoner No. 658692, appeals the district court's order dismissing as frivolous his 42 U.S.C. § 1983 prisoner civil rights suit. Jackson alleges that the district

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

court abused its discretion in dismissing his claims that the Texas Board of Pardon and Paroles improperly considered previous convictions and writ-writing activity in denying him parole and denied him due process of law and equal protection of the laws. After review of the record and Jackson's arguments on appeal, we conclude that the district court did not abuse its discretion in dismissing Jackson's claims as frivolous and accordingly affirm the district court's decision. See *Allison v. Kyle*, 66 F.3d 71, 73 (5th Cir. 1995); *Johnson v. Rodriguez*, 110 F.3d 299 (5th Cir. 1997), *cert. denied*, ___ U.S. ___, 118 S. Ct. 559, 139 L. Ed. 2d 400 (1997). Jackson's motion for appointment of counsel is denied.

AFFIRMED; MOTION FOR APPOINTMENT OF COUNSEL DENIED.