

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 97-40940  
Conference Calendar

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JUAN JORGE SANCHEZ,

Plaintiff-Appellant,

versus

T. WEST, Warden,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 1:96-CV-395  
- - - - -

June 16, 1998

Before DAVIS, PARKER, and DENNIS, Circuit Judges.

PER CURIAM:\*

Juan Jorge Sanchez, Texas prisoner # 577512, argues that the district court erred in dismissing his 42 U.S.C. § 1983 complaint as frivolous and for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(b)(i), (ii) because a change was made in his prisoner classification status in violation of his due process and equal protection rights.

We have reviewed the record and Sanchez's brief and AFFIRM the district court's dismissal for essentially the same reasons

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

adopted by the district court. See Sanchez v. West, No. 1:96-CV-395 (E.D. Tex. July 10, 1997).

Because Sanchez's complaint was properly dismissed as frivolous and for failure to state a constitutional claim, he was not entitled to a trial by jury.

AFFIRMED.