

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 97-41446  
Conference Calendar

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SIMPSON LANE,

Plaintiff-Appellant,

versus

JOHN TAYLOR, Correctional Officer II;  
IOANE SATELE, Correctional Officer III;  
RICKEY FLASOWSKI, Lieutenant,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 9:95-CV-443  
- - - - -

August 20, 1998

Before KING, HIGGINBOTHAM, and JONES, Circuit Judges.

PER CURIAM:\*

Appellant Simpson Lane, Texas state prisoner # 541742, alleged in his civil rights complaint that appellee, Correctional Officer John Taylor, used excessive force against him. Lane now appeals the judgment based on the jury's verdict in favor of Taylor.

Lane contends that he is entitled to reversal as a result of several errors which allegedly occurred just prior to and during the trial. To determine whether Lane's contentions have merit,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

this court would need to examine the trial transcript, which has not been prepared.

In denying Lane's request for preparation of the transcript at government expense, the district court informed him that he should address any further motions to this court. However, Lane has not requested this court to order such preparation of the transcript. Accordingly, Lane's appeal is DISMISSED. See Richardson v. Henry, 902 F.2d 414, 416 (5th Cir. 1990).

APPEAL DISMISSED.