

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 97-60178  
Conference Calendar

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GARY MOAWAD,

Plaintiff-Appellant,

versus

FRED CHILDS; AARON JAGER;  
CARMEN GETTIS CASTILLA;  
MACKEY HOPKINS; HUBERT FOSTER;  
JIMMY FULCE; ROBERT HUGHES;  
MARVEN BROSS; AND EUGENE MAILEY,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Northern District of Mississippi  
USDC No. 4:90-CV-172-S  
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December 9, 1997

Before BARKSDALE, BENAVIDES, and STEWART, Circuit Judges.

PER CURIAM:\*

Gary Moawad, Mississippi # 31272, appeals from the district court's denial of his motion for contempt. Moawad argues that the district court abused its discretion in denying his motion for contempt when the court failed to hold an evidentiary hearing. Given the absence of clear and convincing evidence that the defendants violated the agreed order, the district court did

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

not abuse its discretion in denying the motion for contempt without holding a hearing. Travelhost, Inc. v. Blandford, 68 F.3d 958, 961 (5th Cir. 1995).

Moawad's motion for the appointment of counsel is DENIED.

AFFIRMED.