

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-10567
Conference Calendar

BRUCE ARNOLD,

Plaintiff-Appellant,

versus

C.A. DILLAHA, M.D.,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 5:96-CV-190-C
- - - - -

February 9, 1999

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

PER CURIAM:**

Bruce Arnold, Texas prisoner no. 609239, appeals the district court's order granting summary judgment for the defendant, C.A. Dillaha, M.D., and dismissing Arnold's complaint as frivolous. Arnold argues that Dillaha was deliberately indifferent to his serious medical needs by using an improper method to remove a foreign object embedded in Arnold's eye and by failing or refusing to provide follow-up treatment with a

*This matter is being decided by a quorum. 28 U.S.C. § 46(d).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

ophthalmologist. We have reviewed Arnold's arguments and the record on appeal and find that his claims are premised upon disagreement with the medical treatment he received which, standing alone, are insufficient to support a violation of 42 U.S.C. § 1983. See Banuelos v. McFarland, 41 F.3d 232, 235 (5th Cir. 1995); Varnado v. Lynaugh, 920 F.2d 320, 321 (5th Cir. 1991).

The district court did not err in granting summary judgment in favor of Dillaha, see Fed. R. Civ. P. 56(c), nor did it abuse its discretion in dismissing his claim as frivolous. See Martin v. Scott, 156 F.3d 578, 580 (5th Cir. 1998).

AFFIRMED.