

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-10626
Conference Calendar

REX ALAN IVEY,

Plaintiff-Appellant,

versus

D. WILKINSON, Captain;
JOE MILBERN; L. SCHUR;
EARL FOX,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 7:98-CV-23-X
- - - - -

October 22, 1998

Before POLITZ, Chief Judge, and WIENER and DENNIS, Circuit Judges.

PER CURIAM:*

Rex Alan Ivey, Texas prisoner #756792, appeals from the dismissal of his civil rights action as frivolous. Ivey contends that the district court erred by dismissing his complaint as frivolous pursuant to *Edwards v. Balisok*, 117 S. Ct. 1584 (1997), because he is entitled to the relief he seeks as he is a prospect for mandatory release and has a liberty interest in his good-time credits. We have reviewed the record and Ivey's brief and we have found no nonfrivolous appellate issues. Accordingly, we

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

dismiss Ivey's appeal as frivolous for essentially the reasons relied upon by the district court. *Ivey v. Fox*, No. 7:98-CV-023-X (N.D. Tex. May 5, 1998).

APPEAL DISMISSED. 5TH CIR. R. 42.2.