

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-50540
Summary Calendar

STEVEN L. SONDDLEY,

Plaintiff-Appellant,

versus

BEXAR COUNTY JAIL EMPLOYEES; FNU SANTANA,
Officer; CESAR A. GARCIA, Physician who
treated broken rib; PATTY SMITH,

Defendants-Appellees.

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Appeal from the United States District Court
for the Western District of Texas
USDC No. SA-97-CV-845
- - - - -

March 15, 1999

Before EMILIO M. GARZA, DeMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Steven L. Sondley, now a Texas prisoner (# 342397), appeals from the district court's judgment dismissing his civil rights complaint brought pursuant to 42 U.S.C. § 1983, concerning an alleged beating and denial of medical treatment while he was a pretrial detainee at Bexar County Jail. Sondley contends that: (1) the district court erred by granting defendant Dr. Cesar Garcia's motion to dismiss pursuant to FED. R. CIV. P. 12(b)(6),

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

and (2) that the district court abused its discretion by refusing to permit him to conduct discovery and by refusing to appoint counsel for him. We have reviewed the record and the briefs of the parties, and we AFFIRM the district court's dismissal for essentially the same reasons set forth by the magistrate judge and adopted by the district court. See Sondley v. Santana, No. SA-97-CA-0845-FB (W.D. Tex. Jan. 28, 1998).

Sondley's motion to strike the appellate brief of Dr. Garcia is DENIED.

JUDGMENT AFFIRMED; MOTION TO STRIKE DENIED.