

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 98-60040  
Summary Calendar

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ARTHUR IVY, JR.,

Plaintiff-Appellant,

versus

CENTRAL MISSISSIPPI CORRECTION  
FACILITY, Medical Clinic,

Defendant,

ROBERT CULPEPPER;  
JOHN F. DONNELLY, JR.; STEVE PUCKETT,

Defendants-Appellees

Defendant-Appellee.

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Appeal from the United States District Court  
for the Southern District of Mississippi  
USDC No. 3:97-CV-322-BN  
- - - - -

January 5, 1999

Before DAVIS, DUHE', and PARKER, Circuit Judges.

PER CURIAM:\*

Arthur Ivy, Jr., Mississippi prisoner no. 76754, appeals the grant of summary judgment in favor of defendants Dr. Robert Culpepper; John F. Donnelly Jr., superintendent of the Central Mississippi Correctional Facility, medical clinic (CMCF); and Steve Puckett, commissioner of the Mississippi Department of

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Corrections (MDOC). CMCF had been dismissed from the lawsuit in a previous ruling which is not challenged on appeal.

Ivy's complaint, liberally construed, alleges only that efforts that have been made to provide him with a properly-fitting prosthesis have been unsuccessful. "Unsuccessful medical treatment does not give rise to a § 1983 cause of action." Varnado v. Lynaugh, 920 F.2d 320, 321 (5th Cir. 1991).

AFFIRMED.