

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-10877
Summary Calendar

CHRISTOPHER COWAN,

Petitioner-Appellant,

versus

GARY L. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL
JUSTICE, INSTITUTIONAL DIVISION,

Respondent-Appellee.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 1:96-CV-291-C
- - - - -

May 27, 1998

Before JONES, SMITH and STEWART, Circuit Judges.

PER CURIAM:*

Christopher Cowan, Texas prisoner # 403565, appeals the district court's denial of a motion for a preliminary injunction. To the extent that Cowan is required to obtain a certificate of appealability (COA) in order to appeal the district court's order, we conclude that Cowan has not made a substantial showing of the denial of a constitutional right. See 28 U.S.C. § 2253(c)(2). Without deciding whether a COA is required, we find no abuse of discretion in the reasoning adopted by the

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

district court. Cowan v. Johnson, No. 1:96-CV-291-C (N.D. Tex. Jul. 15, 1997); see Lakedreams v. Taylor, 932 F.2d 1103, 1107 (5th Cir. 1991); Watson v. Graves, 909 F.2d 1949, 1552 (5th Cir. 1990). Further, we find that Cowan's appeal is frivolous, and accordingly, we DISMISS it pursuant to 5th Cir. R. 42.2.

DISMISSED AS FRIVOLOUS. COA DENIED.