

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-41253
Conference Calendar

RONALD MIXON,

Plaintiff-Appellant,

versus

MICHELLE HATTENBACH; JASPER E. ARMWOOD;
DAVID M. BLACKWELL; LEPHER JENKINS; MARK A. DIAZ,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. C-97-CV-402
- - - - -

April 10, 1998

Before JOLLY, JONES, and DUHÉ, Circuit Judges

PER CURIAM:*

Ronald Mixon, prisoner # 536575, appeals the dismissal of his civil rights action as frivolous pursuant to 28 U.S.C. § 1915(e). Because Mixon's case contained no arguable basis in law or fact, it is frivolous, and the district court did not err in dismissing it. See Siglar v. Hightower, 112 F.3d 191, 193 (5th Cir. 1997).

Mixon's appeal is without arguable merit and therefore frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

1983). Because the appeal is frivolous, it is DISMISSED. See
5th Cir. R. 42.2.

APPEAL DISMISSED.