

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-10820
Summary Calendar

GREG PARKS, none,

Plaintiff-Appellant,

versus

CITY OF ABILENE, TEXAS;
MELVIN MARTIN, Police Chief,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 1:97-CV-143

September 30, 1999

Before REAVLEY, BARKSDALE and STEWART, Circuit Judges.

PER CURIAM:*

Greg Parks ("Parks") appeals the district court's decision to grant summary judgment in favor of the City of Abilene and Melvin Martin (collectively, "Appellees"). We have reviewed the briefs and the record. First, we conclude that Parks has failed to demonstrate plain error with regards to the procedural due process claims that he has asserted for the first time on appeal. See Robertson v. Plano City of Texas, 70 F.3d 21, 23 (5th Cir. 1995). Second, we conclude that granting summary judgment in

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

favor of Appellees with respect to Parks' First Amendment claim was correct for essentially the same reasons set forth by the district court. See Parks v. City of Abilene, No. 1:97-CV-143-C (N.D. Tex. June 11, 1998).

AFFIRMED.