

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-11378
Summary Calendar

JAMES E. COLLINS,

Plaintiff-Appellant,

versus

STEPHEN COUNTY, TX.,
the political entity;
JAMES D. REEVES, Sheriff,
in his individual capacity,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 1:95-CV-128-C
- - - - -

August 6, 1999

Before REAVLEY, BARKSDALE, and STEWART, Circuit Judges.

PER CURIAM:*

James E. Collins, Texas prisoner #177733, appeals the dismissal of his 42 U.S.C. § 1983 complaint after a bench trial. Collins argues he was under arrest when Sheriff Reeves told him to stay in the yard and that the arrest was without probable cause or a warrant. Collins also argues that Sheriff Reeves violated his due process rights and falsely imprisoned him when

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

the sheriff failed to take him before a magistrate within 48 hours of his arrest.

We have reviewed the record and the parties' briefs and AFFIRM the magistrate judge's judgment for essentially the same reasons set forth by the magistrate judge. Collins v. Reeves, No. 1:95-CV-128-C (N.D. Tex. Oct. 22, 1998).

AFFIRMED.