

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-30466
Conference Calendar

CLIFTON DRUMMER, Jr.,

Plaintiff-Appellant,

versus

CHARLES C. FOTI, Jr., Sheriff,

Defendant-Appellee.

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 98-CV-3691-J

February 16, 2000

Before EMILIO M. GARZA, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

Clifton Drummer, Jr., Louisiana prisoner no. 826015, appeals the district court's dismissal of his 42 U.S.C. § 1983 prisoner civil rights complaint as frivolous based upon his failure to exhaust his prison remedies. The complaint was dismissed with prejudice to his right to file another IFP complaint based upon the same facts. Drummer argues that the court abused its discretion in dismissing his complaint with prejudice and that the court abused its discretion in dismissing the complaint without first determining whether he had made a good faith effort

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

to exhaust his administrative remedies or whether the available remedies were "adequate, speedy, and in compliance with the statutory minimum standards." The district court's decision is AFFIRMED. See Underwood v. Wilson, 151 F.3d 292 (5th Cir. 1998), cert. denied, 119 S. Ct. 1809 (1999).

AFFIRMED.