

April 20, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-41138
Conference Calendar

WILLIS FLOYD WILEY,

Plaintiff-Appellant,

versus

CHUCK BISCOE, Warden; DOROTHY BURNS;
WARNER LUMPKINS; JAMES WHEELER; EDGER
HULIPAS, Dr.; FAITH STRUNK, Nurse
Practitioner; T. M. ADKINS, Capt.; JAMES
MADER, Bldg. Capt.; VONDA RAFTER, Lt.;
RICKY PRICE, Lt.; JAVIER ZARATE, Lt.;
SUSAN RIVAS; WILSON YOUNG, Sgt.; DAVID
FANNING; ARTURO RAMIREZ; DEBORAH HARDMAN,
Officer; KENNETH TYLER, Officer; LORA
MILLER, Officer; DORA TAYLOR,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 3:03-CV-346

Before JONES, SMITH, and PRADO, Circuit Judges.

PER CURIAM:*

Willis Floyd Wiley, Texas prisoner # 753383, appeals the district court's denial of his request for a preliminary injunction in his civil rights action. Wiley asks that the defendants, employees of the C.T. Terrell Unit of the Texas

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Department of Criminal Justice - Institutional Division, be ordered to provide him with access to a handicapped shower facility until completion of his civil action. Because Wiley is no longer incarcerated at the C.T. Terrell Unit, his claim for injunctive relief is moot. See Cooper v. Sheriff, Lubbock County, Tex., 929 F.2d 1078, 1084 (5th Cir. 1991); Bailey v. Southerland, 821 F.2d 277, 279 (5th Cir. 1987). Consequently, the order of the district court denying Wiley's request for a preliminary injunction is AFFIRMED.

Wiley also contends that the district court erred in denying relief on his civil rights claims. The district court has not yet addressed the merits of these claims, and we therefore need not consider these arguments.

AFFIRMED.