

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-21070
Summary Calendar

GLENN L. ARIEL,

Plaintiff-Appellant,

versus

HUNG T. DAO; MIKE KIRKWOOD;
JOSEPH C. ROELL; V. FURMAN;
DR. JOHNSON; JACKIE LAPPIN,

Defendants-Appellees.

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Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-97-CV-4248
- - - - -

October 29, 2001

Before JONES, SMITH, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

Glenn L. Ariel, Texas prisoner # 682838, appeals from the district court's dismissal of his 42 U.S.C. § 1983 complaint for failure to state a claim. Ariel's timely filed notice of appeal vests this court with jurisdiction to review the district court's dismissal of his complaint. 28 U.S.C. § 1291.

Ariel's claim that the screening proceedings of 28 U.S.C. §§ 1915, 1915A are unconstitutional is without merit. See, e.g., Martin v. Scott, 156 F.3d 578, 580 n.2 (5th Cir. 1988).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Notwithstanding Ariel's argument to the contrary, these screening procedures allow the district court to forego service on all or some of the defendants pending its review of the entire complaint. See 28 U.S.C. §§ 1915(e)(2), 1915A(a). We have reviewed the record, including Ariel's medical records, and hold that the district court did not err in dismissing Ariel's deliberate indifference claims against Dr. Hung Dao and Dr. Mike Kirkwood. See Stewart v. Murphy, 174 F.3d 530, 534 (5th Cir. 1999); Banuelos v. McFarland, 41 F.3d 232, 234-35 (5th Cir. 1995). Accordingly, the judgment of the district court is AFFIRMED.