

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-60300
Conference Calendar

WILLIAM E. ANDERSON,

Plaintiff-Appellant,

versus

JAMES V. ANDERSON, SUPERINTENDENT, MISSISSIPPI
STATE PENITENTIARY; WACKENHUT PRISON CORPORATION;
MADISON COUNTY, MISSISSIPPI; CITY OF CANTON,
MISSISSIPPI, STANLEY RUSSELL, Doctor in Psychiatric
Unit at Parchman, JUAN SANTOS, DR., Medical Doctor
at Parchman, STEVE PUCKETT, Former Superintendent.
Mississippi State Penitentiary; EMMITT SPARKMAN,
Superintendent - Wackenhut; CARL BANKS, Board of
Supervisors Chairman - Madison County, Mississippi;
ALICE SCOTT, Mayor - City of Canton, Mississippi,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Mississippi
USDC No. 4:99-CV-28-D-B

October 17, 2000

Before SMITH, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:*

William E. Anderson, Mississippi prisoner # 13682, appeals following the district court's denial of Anderson's motion for relief from judgment. Anderson's 42 U.S.C. § 1983 complaint was ordered closed by the magistrate judge because Anderson had not

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

exhausted his administrative remedies as required under 42 U.S.C. § 1997e(a). Anderson argues, as he did in his motion for relief from judgment, that he has exhausted his administrative remedies and that his § 1983 complaint should not have been dismissed for failure to exhaust.

We review the denial of a motion for relief from judgment for an abuse of discretion. See Travelers Ins. Co. v. Liljeberg Enter., Inc., 38 F.3d 1404, 1408 (5th Cir. 1994). Anderson did not exhaust his administrative remedies until after he filed his § 1983 complaint. The district court's denial of Anderson's motion for relief from judgment was not an abuse of discretion. See Underwood v. Wilson, 151 F.3d 292, 296 (5th Cir. 1998), cert. denied, 526 U.S. 1133 (1999).

AFFIRMED.