

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 01-50095  
Conference Calendar

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MAURICIO ROMAN-HENAO,

Plaintiff-Appellant,

versus

VINCENT J. CLAUSEN, ASSISTANT DISTRICT DIRECTOR,  
DETENTION AND DEPORTATION, UNITED STATES IMMIGRATION  
AND NATURALIZATION SERVICE; ALFREDO CAMPOS, OFFICER  
IN CHARGE, EL PASO SERVICE PROCESSING CENTER,  
UNITED STATES IMMIGRATION AND NATURALIZATION SERVICE;  
UNKNOWN IMMIGRATION AND NATURALIZATION SERVICE AGENTS  
JOHN DOE AND JANE DOE 1-10,

Defendants - Appellees.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. EP-99-CV-377-DB  
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December 12, 2001

Before HIGGINBOTHAM, BARKSDALE, and STEWART, Circuit Judges.

PER CURIAM:\*

Mauricio Roman-Henao appeals the Fed. R. Civ. P. 12(b)(6) dismissal of his pro se civil rights action filed pursuant to Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics, 403 U.S. 388 (1971). He argues that the district court erred in dismissing the complaint, made factual errors in its order of dismissal, and erred in not permitting discovery on

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

his claims. Roman-Henao alleged that the asserted inadequacies in the library deprived him of a right to assist other detainees, but he has not briefed that issue on appeal and it is therefore abandoned. See Yohey v. Collins, 985 F.2d 222, 224-25 (5th Cir. 1993).

Roman-Henao has moved for leave to supplement the appellate record with certain documents; that motion is DENIED. See Trinity Industries, Inc. v. Martin, 963 F.2d 795, 799 (5th Cir. 1992)(citation omitted).

Roman-Henao's asserted injuries do not rise to the level of a cognizable constitutional violation, and the district court did not err in dismissing the complaint pursuant to Fed. R. Civ. P. 12(b)(6). See Lewis v. Casey, 518 U.S. 343, 351 (1996); McDonald v. Steward, 132 F.3d 225, 230-31 (5th Cir. 1998). This appeal is without arguable merit and thus frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983). Because the appeal is frivolous, it is DISMISSED. 5TH CIR. R. 42.2.

MOTION DENIED, APPEAL DISMISSED AS FRIVOLOUS.