

June 3, 2003

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-11164
Summary Calendar

TERRENCE L. SWANSON,

Plaintiff-Appellant,

versus

WILLIAM E. GONZALEZ, Dr.; MIKE BRANIGAN, Medical Director,
ROY FISHER, III, Dr.; CHERYL GARY, NP; MICHAEL UPSHAW,
Warden; TINA CARMONA, Asst. Warden; WHYATT, Directory of
Classification; ROBERT S. SEAGROVES, Capt.; TEXAS TECH
UNIVERSITY HEALTH SCIENCES CENTER; TDCJ ROACH UNIT,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 2:02-CV-143

Before HIGGINBOTHAM, SMITH, and CLEMENT, Circuit Judges.

PER CURIAM:*

Terrence L. Swanson, Texas prisoner #1036801, appeals the district court's dismissal of his 42 U.S.C. § 1983 complaint for failure to exhaust administrative remedies. Because he did not file his step 2 grievance until after he filed the instant complaint, the district court did not err in dismissing the complaint. 42 U.S.C. § 1997e(a); Underwood v. Wilson, 151 F.3d 292, 293-96 (5th Cir. 1998).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

AFFIRMED.