

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-20870  
Conference Calendar

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CHRISTOPHER J. MURPHY,

Plaintiff-Appellant,

versus

S.O. WOODS, Jr.; J.R.  
PETERSON, Warden; R.D.  
BOYD; J. SIMETAL; J.A.  
SIMPSON, Jr.,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. CA H 93-2540

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February 29, 1996

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

PER CURIAM:\*

Christopher J. Murphy argues that the district court abused its discretion in dismissing his 42 U.S.C. § 1983 complaint as frivolous.

We have reviewed the record, the reasons given by the district court for the dismissal of the complaint at the conclusion of the Spears\*\* hearing, and Murphy's brief, and we

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

\*\* Spears v. McCotter, 766 F.2d 179 (5th Cir. 1985).

determine that the dismissal of the complaint as frivolous should be affirmed substantially for the reasons stated by the district court.

AFFIRMED.