

UNITED STATES COURT OF APPEALS
for the Fifth Circuit

No. 95-40222
Summary Calendar

OBIE EARL TUTT,

Plaintiff-Appellant,

VERSUS

RICK HART,

Defendant-Appellee.

Appeal from the United States District Court
for the Eastern District of Texas
(5:92-CV-131)

July 8, 1996

Before DAVIS, BARKSDALE AND DeMOSS, Circuit Judges.

PER CURIAM:*

Tutt appeals the dismissal of his § 1983 suit against prison officials challenging his conditions of confinement in the Bi State Detention Center in Texarkana, Texas. The district court referred the case to a magistrate judge for an evidentiary hearing. Following an evidentiary hearing, the magistrate judge made a detailed report and recommendation including proposed findings of

*Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

fact and conclusions of law which the district court adopted. Based on those findings and conclusions, the district court dismissed this suit.

We have reviewed the record and are satisfied that the findings of fact are supported by the record and are not clearly erroneous. With respect to the issues raised on appeal, we find no error in the district court's conclusions of law. Thus, for essentially the reasons stated by the magistrate judge in his December 13, 1994 report and recommendation, which were accepted by the district court, we affirm the district court's judgment.

AFFIRMED.