

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-40972
Conference Calendar

MELVIN LEE JOHNSON,

Plaintiff-Appellant,

versus

BETO I UNIT; UNIDENTIFIED JOHNSON,
Lieutenant at Beto I Unit; KEN E.
KUYKENDALL, Doctor at Beto I Unit;
HERBERT SCOTT, Warden,

Defendants-Appellees.

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Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 6:95-CV-511
- - - - -

June 26, 1996

Before HIGGINBOTHAM, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Melvin Johnson, #643399, appeals from the magistrate judge's dismissal as frivolous pursuant to 28 U.S.C. § 1915(d) of his civil rights complaint. He contends that the magistrate judge erred by dismissing his complaint as frivolous. We have reviewed the record and the magistrate judge's memorandum opinion and

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

order and AFFIRM the dismissal of Johnson's complaint for essentially the reasons set forth by the magistrate judge. See Johnson v. Beto I Unit et al., No. 6:95-CV-511 (E.D. Tex. Nov. 6, 1995). Johnson's motion for a default judgment is DENIED.

AFFIRMED.