

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-50413  
Conference Calendar

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DANIEL SOSA FUENTES,

Plaintiff-Appellant,

versus

O.A. BROOKSHIRE, Sheriff of  
Ector County, Texas;  
WALLACE B. BRUCKER, Director  
of Detention Center

Defendants-Appellees.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. MO-94-CV-176  
- - - - -  
August 23, 1995

Before KING, JOLLY, and WIENER, Circuit Judges.

PER CURIAM:\*

Daniel Sosa Fuentes appeals the judgment of the district court dismissing his civil rights action with prejudice pursuant to 28 U.S.C. § 1915(d). Fuentes' claim has no arguable basis in law and fact; the district court did not abuse its discretion in

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\* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the court has determined that this opinion should not be published.

dismissing the claim under § 1915(d). See Ancar v. Sara Plasma, Inc., 964 F.2d 465, 468 (5th Cir. 1992).

The appeal, too, is without arguable merit and thus frivolous. 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.

APPEAL DISMISSED.