

UNITED STATES COURT OF APPEALS
FIFTH CIRCUIT

No. 96-10194

(Summary Calendar)

PRESTON ODELL STEPHENS,

Plaintiff - Appellant,

versus

LEE A JACKSON, Warden, Wackenhut
Correction Corporation; WACKENHUT
CORRECTION CORPORATION MEDICAL AND
CLASSIFICATION STAFF; WACKENHUT
CORRECTIONS CORPORATION; D HART,
Classification Member; MARY CLARK,
Medical Administrator; D MCCOMIS,
Assistant Warden; D BROWN, Major,
Wackenhut Correctional Corp,

Defendants - Appellees.

Appeal from the United States District Court
For the Northern District of Texas
(4:95-CV-883-A)

September 18, 1996

Before DAVIS, EMILIO M. GARZA, and STEWART, Circuit Judges.

PER CURIAM:*

Preston Odell Stephens, Texas inmate #633693, appeals the
dismissal of his civil rights complaint. He raises the following

* 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opinion should not be published and is not precedent except under the limited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.

issues: 1) the district court erred by concluding that Stephens did not comply with the order to reply to the answer with specific facts; 2) the district court erred by concluding that the complaint failed to state a claim because Stephens alleged an actual injury, the injury to his right hand, from his placement in second-floor housing;¹ and 3) the district court erred by dismissing his complaint without affording Stephens the opportunity to amend or expand on his allegations. We have carefully reviewed the record and appellate arguments. We detect no error in the district court's dismissal. See *Schultea v. Wood*, 47 F. 3d 1427, 1432-34 (5th Cir. 1995) (en banc).

AFFIRMED.

¹ Stephens does not argue the viability of his medical-care claim, and therefore, the issue is deemed abandoned on appeal. See *Eason v. Thaler*, 14 F. 3d 8, 9 n.1 (5th Cir. 1994).