

UNITED STATES COURT OF APPEALS
for the Fifth Circuit

No. 96-20510
Summary Calendar

SHERWOOD CRYER,

Plaintiff-Appellant,

VERSUS

THE PASADENA, TEXAS POLICE DEPT., ET AL,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Texas
(CA-H-95-5742)

January 22, 1997

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

PER CURIAM:*

The appellant, Sherwood Cryer, challenges the district court's order staying plaintiff's § 1983 suit pending the outcome of a state probate proceeding. We agree with the district court that the ownership and right to possession of the property plaintiff alleges the defendant "raided" are issues that are central to plaintiff's action. Under these circumstances, the district court did not abuse its discretion in staying this proceeding until the

*Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

pending probate proceeding is determined. See Colorado River Water Conservation District v. United States, 424 U.S. 800, 818 (1976) and Allen v. Louisiana State Board of Dentistry, 835 F.2d 100, 104 (5th Cir. 1988).

AFFIRMED.