

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-40081  
Conference Calendar

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MITCHELL TEMPLETON,

Plaintiff-Appellant,

versus

JUAN GARZA; SARGENT GUTIERREZ,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. CA-L-93-121  
- - - - -

August 21, 1996

Before KING, DUHÉ, and DeMOSS, Circuit Judges.

PER CURIAM:\*

Mitchell Templeton, a Texas state prisoner (#331690), appeals from the district court's dismissal of his civil rights complaint as frivolous. He argues that the district court should not have dismissed his denial-of-access-to-the-courts claim as frivolous because the court found that the Webb County Detention Center did not have adequate library facilities. The district court held that Templeton failed to allege any legal prejudice as

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

a result of the deficient library facilities, thus his claim lacked an arguable basis in law. See Lewis v. Casey, 116 S. Ct. 2174, 2180 (1996). To the extent that Templeton attempts to allege legal prejudice for the first time in his reply brief, we decline to review these allegations. We have reviewed the record and perceive no abuse of discretion by the district court and thus no reversible error. Accordingly, the judgment is AFFIRMED.

AFFIRMED.