

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-10347
Summary Calendar

JOHNNY RAY SEATON,

Plaintiff-Appellant,

versus

WAYNE SCOTT, Texas Department of Criminal Justice,
Institutional Division; K RATNARAJAH, Dr; WARDEN SANDERS,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 2:96-CV-30
- - - - -

October 21, 1997

Before REAVLEY, JOLLY and HIGGINBOTHAM, Circuit Judges.

PER CURIAM:*

Johnny Ray Seaton, Texas state prisoner # 253239, challenges the magistrate judge's dismissal his 42 U.S.C. § 1983 complaint for frivolousness and for failure to state a claim pursuant to 42 U.S.C. § 1997e and 28 U.S.C. § 1915. The parties consented to proceed before a magistrate judge pursuant to 28 U.S.C. § 636(c). Seaton argues that his complaint stated a constitutional claim based on the defendant doctor's deliberate indifference to his

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

medical needs concerning his back and liver and failure to obtain his outside medical records.

We have reviewed the record, including the transcript of the evidentiary hearing, the memorandum decision of the magistrate judge, and the brief filed by Seaton, and affirm the dismissal of the complaint for frivolousness and for failure to state a claim substantially for the reasons stated by the magistrate judge.

See Seaton v. Scott, USDC No. 2:96-CV-30 (N.D. Tex. Mar. 21, 1997).

AFFIRMED.