

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-11146
Conference Calendar

FLYNOIND FLOYD DEMERY,

Plaintiff-Appellant,

versus

TAYLOR COUNTY ADULT DETENTION
FACILITY, Medical Staff;
CAROLYN HAVINS; IRBY FOX, Doctor,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 1:96-CV-171-BA
- - - - -

October 22, 1998

Before POLITZ, Chief Judge, and WIENER and DENNIS, Circuit Judges.

PER CURIAM:*

Flynoind Floyd Demery, Texas prisoner #807670, appeals the magistrate judge's dismissal of his 42 U.S.C. § 1983 action pursuant to Fed. R. Civ. P. 12(b)(6). Demery argues that the magistrate judge abused its discretion by dismissing his claim and by denying his motion for appointment of counsel. Demery does not argue the merits of his complaint nor does he address the magistrate judge's reasons for dismissing his claim and denying his motion. Therefore, he has abandoned these issues on

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

appeal. See Brinkmann v. Dallas County Deputy Sheriff Abner, 813 F.2d 744, 748 (5th Cir. 1987).

AFFIRMED.