

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-40888
Summary Calendar

RICHARD OWENS,

Plaintiff-Appellant,

versus

SMITH COUNTY TEXAS; SMITH COUNTY JAIL;
TYLER POLICE DEPARTMENT,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 6:96-CV-994
- - - - -
September 25, 1998

Before HIGGINBOTHAM, JONES, and DENNIS, Circuit Judges.

PER CURIAM:*

Richard Owens, Texas prisoner # 780697, appeals from the district court's judgment dismissing his civil rights complaint brought pursuant to 42 U.S.C. § 1983. Owens contends that: 1) the district court erred by granting the city of Tyler's motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6); 2) that the district court abused its discretion by dismissing Owens' claim against Smith County and the Smith County Jail pursuant to

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

28 U.S.C. § 1915A(b); 3) that the district court erred by denying

Owens' motion to amend his complaint; and 4) that the district court abused its discretion by denying Owens' discovery motions.

We have reviewed the record and the briefs of the parties, and we AFFIRM the district court's dismissal for essentially the same reasons adopted by the district court. See Owens v. Smith County et al., No. 6:96cv994 (E.D. Tex. Jul. 11, 1997).

Owens' motion for the appointment of counsel and his motion to strike the appellees' brief are DENIED.

JUDGMENT AFFIRMED; MOTIONS DENIED.