

March 20, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-30486
Summary Calendar

JIM F. BLACKWELL,

Plaintiff-Appellant,

versus

OVERTON BROOKS MEDICAL CENTER; ADETOKUNBO DESILU;
GEORGE M. MOORE, JR.; STAFF OF VETERANS ADMINISTRATION
MEDICAL CENTER; KAREN MUNN; DALE E. ROBINSON;
BILL CALLAHAN,

Defendants-Appellees.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 5:05-CV-415

Before HIGGINBOTHAM, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

Jim F. Blackwell appeals the dismissal of his complaint filed pursuant to Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971). The district court noted that the instant complaint was the sixth complaint Blackwell has filed in relation to claims that the defendants have refused to provide him with his preferred narcotic medication, Oxycontin. The district court dismissed the complaint as frivolous.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Blackwell's appellate brief is largely conclusional and asserts that the district court failed to consider the merits of his complaint. After reviewing the briefs and the record, we conclude that the district court did not abuse its discretion. See Siglar v. Hightower, 112 F.3d 191, 193 (5th Cir. 1997); 28 U.S.C. § 1915(e)(2)(B)(i). This appeal is without arguable merit and is dismissed as frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983); 5TH CIR. R. 42.2.

APPEAL DISMISSED.