

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-20156
Summary Calendar

JESSE H. GARCIA,

Plaintiff-Appellant,

versus

JOHN DOE; FABIAN GRAY; COUNTY COMMISSIONERS;
TOMMY B. THOMAS, Sheriff,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-96-CV-974

November 20, 2000

Before SMITH, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

Jesse H. Garcia, Texas prisoner # 686481, appeals the district court's denial of his "motion to vacate judgment", filed pursuant to Fed. R. Civ. P. 60(b). Garcia also moves to vacate the appellee's brief. The motion to vacate the appellee's brief is DENIED.

Garcia has not shown that the district court's denial of his Rule 60(b) motion was so unwarranted as to constitute an abuse of discretion. See Travelers Ins. Co. v. Liljeberg Enterprises,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Inc., 38 F.3d 1404, 1408 (5th Cir. 1994); Seven Elves, Inc. v. Eskenazi, 635 F.2d 396, 402 (5th Cir. 1981).

AFFIRMED.