

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-21114
Conference Calendar

JOE HENRY MACK,

Plaintiff-Appellant,

versus

DR. B.M. VINCENT; F.E. FIGUEROA; M. BROCK;
L. ARNOLD; DR. KOVACS,

Defendants-Appellees.

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Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-98-CV-2548
- - - - -

August 23, 2001

Before KING, Chief Judge, and POLITZ and PARKER, Circuit Judges.

PER CURIAM:*

Joe Henry Mack, Texas prisoner # 671331, appeals the district court's orders granting summary judgment in favor of the defendants in his civil rights complaint pursuant to 42 U.S.C. § 1983. We review the grant of summary judgment de novo under the same standards applied in the district court. Amburgey v. Corhart Refractories Corp., 936 F.2d 805, 809 (5th Cir. 1991). Summary judgment is proper when, viewing the evidence in the light most favorable to the nonmovant, "there is no genuine issue as to any material fact and . . . the moving party is

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

entitled to judgment as a matter of law.'" Id. (quoting Fed. R. Civ. P. 56(c)).

Mack has failed to shown a genuine issue for trial that the prison staff was deliberately indifferent to his medical condition. See Farmer v. Brennan, 511 U.S. 825, 847 (1994). Similarly, Mack has failed to show a genuine issue for trial that prison officials subjected him to cruel and unusual punishment because of his cell or work assignments. See Wilson v. Seiter, 501 U.S. 294, 303 (1991). The district court did not err in granting summary judgment in favor of the defendants.

AFFIRMED.