

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-30281
Conference Calendar

HERBERT C. GORMAN,

Plaintiff-Appellant,

versus

C. MARTIN LENSING; ET AL.,

Defendants,

TIM TIRCUIT, Major, also known as T. Tircuit;
JEFFERY HOOPER, Captain; KENNETH PHILLIPS,
Lieutenant; DUANE BERGERON, Sergeant; TONY
HODGE, Sergeant,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. 96-CV-7362-B
- - - - -
December 13, 2000

Before DAVIS, STEWART, and PARKER, Circuit Judges.

PER CURIAM:*

Herbert C. Gorman, a Louisiana prisoner (# 128482), appeals from the judgments entered in favor of the defendants following a jury trial of his 42 U.S.C. § 1983 action, in which he alleged that he had been severely beaten after refusing to be shaved with unsterilized equipment.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Gorman's arguments, which concern the weight of the evidence and the magistrate judge's handling of the trial, depend upon review of a trial transcript. There is no indication in the record that Gorman has sought a copy of the transcript of the trial from either the district court or this court. His failure to provide a transcript prevents this court from reviewing his arguments. See Richardson v. Henry, 902 F.2d 414, 415-16 (5th Cir. 1990). Accordingly, the appeal is DISMISSED. See id.; 5TH CIR. R. 42.3.2.

Gorman has not briefed any arguments with respect to the district court's earlier granting of a summary-judgment motion and motion to dismiss. Any such claims are thus abandoned. See Yohey v. Collins, 985 F.2d 222, 224-25 (5th Cir. 1993); FED. R. APP. P. 28(a)(9).

APPEAL DISMISSED.