

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-31091
Conference Calendar

GREGORY JOHNSON,

Plaintiff-Appellant,

versus

JEFF BLOOD,

Defendant-Appellee.

Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. 93-CV-910-D

June 18, 2002

Before HIGGINBOTHAM, DAVIS, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

Gregory Johnson ("Johnson"), Louisiana state prisoner #108327, appeals the jury verdict in favor of Jeff Blood ("Blood") in his 42 U.S.C. § 1983 civil rights action where he alleged that Blood used excessive force. On appeal, Johnson reargues the merits of his underlying constitutional claim. Johnson also raises errors which allegedly occurred at his trial.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Johnson's motion for leave to file a supplemental brief is GRANTED.

Johnson has failed to provide a trial transcript, as directed by FED. R. APP. P. 10(b)(2). Previously, this court denied Johnson's motion requesting a copy of the trial transcript at the Government's expense because he failed to meet the requirements of 28 U.S.C. § 753(f). Because Johnson failed to provide this court with a transcript of the trial, this court will not consider his arguments, and the appeal is DISMISSED. See FED R. APP. P. 3(a)(2); Richardson v. Henry, 902 F.2d 414, 416 (5th Cir. 1990); 5TH CIR. R. 42.2.

APPEAL DISMISSED.