

August 11, 2003

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 02-11098  
Summary Calendar

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MOSES CALDWELL, III,

Plaintiff-Appellant,

versus

DALLAS COUNTY; JIM BOWLES; C.W. MCKINNEY; MIKE ALCORN; GRESHEM,  
Lieutenant; McDANIEL, Sergeant; W. BRAGGS; V. COLE; FINEGLASS;  
EDGAR LEE McMILLAN, Deputy Chief,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:98-CV-59-M  
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Before SMITH, BARKSDALE, and DeMOSS, Circuit Judges.

PER CURIAM:\*

Moses Caldwell, III, Massachusetts prisoner # 97021087, was detained in a detention center in Dallas, Texas, from March 1997 to June 1998. He filed a 42 U.S.C. § 1983 complaint against the above named defendants and alleged that, while he was in the detention center, the defendants acted with deliberate indifference and failed to protect him from an assault of another prisoner. Caldwell appeals the magistrate judge's grant of summary judgment and dismissal of the case.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Caldwell's motion for the appointment of appellate counsel is DENIED.

Our de novo review of the record reveals that the evidence demonstrated that Caldwell did not suffer an injury that was more than de minimis. See Gomez v. Chandler, 163 F.3d 921, 924-25 (5th Cir. 1999); Siqlar v. Hightower, 112 F.3d 191, 193 (5th Cir. 1997); Little v. Liquid Air Corp., 37 F.3d 1069, 1075 (5th Cir. 1994) (en banc). The summary judgment is AFFIRMED.