

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 02-20180  
Conference Calendar

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WARDELL MOORE,

Plaintiff-Appellant,

versus

RICK VANDEL; RON NAUMAN; JOHN W. WIED;  
MIKE SUTTON; OFFICER NOLEN; OFFICER WYNN,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. H-99-CV-2499  
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August 21, 2002

Before HIGGINBOTHAM, DAVIS, and PARKER, Circuit Judges.

PER CURIAM:\*

Wardell Moore, Texas inmate # 845237, appeals the dismissal of his civil rights complaint, filed pursuant to 42 U.S.C. § 1983, as frivolous under 28 U.S.C. § 1915(e)(2)(B). Moore argues that he was denied access to the courts because inadequate time in the library caused him not to be able to research law relative to the statute of limitations in his pending civil rights claim that was dismissed as time-barred. Because Moore

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

did not allege that the defendants prevented him from filing the civil rights complaint that was dismissed as time-barred or that they prevented him from preparing and transmitting any other legal document, his complaint fails to state a claim. Bounds v. Smith, 430 U.S. 817, 821 (1977); Brewer v. Wilkinson, 3 F.3d 816, 821 (5th Cir. 1993). Accordingly, the district court did not err when it dismissed Moore's complaint. Black v. Warren, 134 F.3d 732, 733 (5th Cir. 1998); 28 U.S.C. § 1915(e)(2)(B)(ii).

AFFIRMED.