

IN THE UNITED STATES COURT OF APPEALS

November 18, 2003

FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III
Clerk

No. 03-60270
Summary Calendar

ANTHONY SWIFT,

Plaintiff-Appellant,

versus

LADDIE HUFFMAN, Sheriff; BILLY PERKINS, Jail Administrator;
BOBBIE RANDLE, Jailor,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 1:01-CV-375-B

Before HIGGINBOTHAM, DAVIS and PRADO, Circuit Judges.

PER CURIAM:*

Anthony Swift, Mississippi prisoner # 75278, appeals the judgment for the defendants following an evidentiary hearing on his 42 U.S.C. § 1983 complaint challenging the conditions of his confinement at the Clay County jail. Swift alleges in his lawsuit that his Eighth Amendment rights were violated because he was housed in a screening cell for two weeks without bedding or a

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

pillow while jail officials investigated alleged misconduct by Swift. He claims that the denial of bedding material amounted to a denial of basic human needs, and he claims to have suffered back and hip injuries as a result. The district court rejected his arguments.

We find no error in the district court's conclusion. The record supports the district court's determination that the deprivation was not sufficiently serious and the Clay County jailers were not sufficiently culpable to violate the Eighth Amendment.¹ Swift was housed in the screening cell only as long as necessary to investigate the allegations made against him and to secure the availability of alternative housing. The evidence also indicates that his back injury did not manifest itself for many months after his confinement in the screening cell.

AFFIRMED.

¹See *Palmer v. Johnson*, 193 F.3d 346, 352 (5th Cir. 1999).