

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

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No. 13-51134  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

March 18, 2015

Lyle W. Cayce  
Clerk

PATRICK BERNARD SMITH,

Plaintiff-Appellant

v.

CORRECTIONAL OFFICER SEAN MURRAY; HOWARD K. BENNETT, Physician Assistant Certified; MARK MINSHEW; OFFICER SWOOPS; LIEUTENANT PRESTON; SERGEANT BARROUGH; ASSISTANT WARDEN K. DEAN; TERI SMITH,

Defendants-Appellees

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Appeals from the United States District Court  
for the Western District of Texas  
USDC No. 6:10-CV-163

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Before KING, JOLLY, and HAYNES, Circuit Judges.

PER CURIAM:\*

Patrick Bernard Smith filed a civil rights action alleging numerous constitutional violations arising from prison discipline and medical care. All of the claims have been dismissed on summary judgment, but we granted Smith leave to appeal in forma pauperis (IFP) whether the district court erred

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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by granting summary judgment dismissing an excessive-force claim against defendant Columbus Swopes arising on March 20, 2009, and an excessive-force claim against defendants Sean Murray and Mark Minshew arising on April 20, 2009. *Smith v. Murray*, No. 13-51134 (5th Cir. May 6, 2014) (unpublished order). IFP was denied as to all other claims. *Id.*

Smith has abandoned the essential issues for appeal by failing to brief them. *See Audler v. CBC Innovis Inc.*, 519 F.3d 239, 255 (5th Cir. 2008); *Yohey v. Collins*, 985 F.2d 222, 224-25 (5th Cir. 1993). At best, his few bare assertions of excessive force, unsupported by any competent summary judgment evidence, do not show any genuine issue for trial. *See Duffie v. United States*, 600 F.3d 362, 371 (5th Cir. 2010); *Hathaway v. Bazany*, 507 F.3d 312, 319 (5th Cir. 2007). The district court's judgment is AFFIRMED, and all of Smith's claims against all defendants in this action are now dismissed.