

UNITED STATES COURT OF APPEALS  
For the Fifth Circuit

---

No. 92-2431  
Summary Calendar

---

JOHNNIE RAY MOORE,

Plaintiff-Appellant,

Versus

MR. FANIN, et al,

Defendants-Appellees..

---

Appeal from the United States District Court  
For the Southern District of Texas  
(CA H-88-2548)

---

( February 24, 1993 )

Before JOLLY, DUHE, BARKSDALE, Circuit Judges.

PER CURIAM:<sup>1</sup>

Johnnie Ray Moore argues that his civil rights under the United States Constitution have been violated because of the treatment he had received in the Madison County, Texas, jail at the hands of the defendants. He contends specifically that his rights under the Eighth, Ninth, and Fourteenth Amendments were

---

<sup>1</sup> Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the court has determined that this opinion should not be published.

transgressed. He sought monetary damages, a declaratory judgment, and injunctive relief. The district court denied his claims and dismissed the case. Our review of the record and briefs in this case indicates that the district court did not err. Moore alleges that his constitutional rights were violated because he was forced to stay in a dark room where he bumped his head which had been injured by a bullet before he had arrived at the jail; that he was given salt tablets instead of aspirin, and that on one occasion he was denied requested medication for his hypertension. Irrespective of whether Moore was given proper treatment at the Madison County Jail, none of the alleged conduct of the jail officials amounts to a violation of Moore's rights under the United States Constitution essentially for the reason that he fails to state facts from which a fact finder could conclude that the defendants exhibited deliberate indifference toward his serious medical needs, or other conditions, involving Moore.<sup>2</sup>

The district court judgment dismissing the complaint is, therefore,

A F F I R M E D.

---

<sup>2</sup> Johnnie Ray Moore's pending motion for appointment of counsel is denied.