

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 92-3860
Conference Calendar

WILLIAM JOHNSON,

Plaintiff-Appellant,

versus

EDWIN EDWARDS ET AL.,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. CA 92 449 A M1

- - - - -
March 16, 1993

Before KING, HIGGINBOTHAM, and DAVIS, Circuit Judges.

PER CURIAM:*

William S. Johnson filed a civil rights action alleging that defendants failed to protect him from attack by another inmate. The district court dismissed the action for failure to exhaust administrative remedies as required by 42 U.S.C. § 1997e. The record belies Johnson's assertion that he exhausted administrative procedure prior to filing this action and during the 90-day stay ordered by the magistrate judge. The district court did not abuse its discretion. See Martin v. Catalanotto, 895 F.2d 1040, 1042 (5th Cir. 1990).

AFFIRMED.

* 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 Pursuant to that Rule, the Court has determined that this opinion should not be published.