

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 92-4163

JAMES A. SHERMAN,
Plaintiff-Appellant,

VERSUS

RAYMOND PROCUNIER, et al.,
Defendants-Appellees.

Appeal from the United States District Court
for the Eastern District of Texas

(9:86cv125)
(January 19, 1993)

Before REAVLEY, SMITH, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

We find no error in the district court's grant of summary judgment to the warden, David Myers, on the basis of qualified immunity. This appellant did not violate a clearly established constitutional right of which a reasonable official would have known, in regard to either the issue of cellblock design or the matter of staffing and deployment of guards. Surely, there is no showing of wanton conduct under Wilson v. Seiter, 111 S. Ct. 2321

* Local Rule 47.5.1 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 Pursuant to that rule, the court has determined that this opinion should not be published.

(1991). Accordingly, the summary judgment is AFFIRMED.