

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 92-8566  
Conference Calendar

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ELLIS DOUGLAS BURRELL,

Plaintiff-Appellant,

versus

GLENN WOODARD, Sgt., and  
JAMES ANDY COLLINS, Director,  
Texas Department of Corrections,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. W-91-CV-59  
- - - - -

June 23, 1993

Before POLITZ, Chief Judge, WIENER, and DeMOSS, Circuit Judges.

PER CURIAM:\*

Ellis Douglas Burrell filed a civil rights action against prison guard, Sergeant Glenn Woodard, and Director James Collins. This Court affirmed the district court's dismissal of the due process and inadequate medical care claims. The judgment of the district court dismissing the excessive force claim was reversed and remanded for consideration under the standard of Hudson v. McMillian, \_\_\_ U.S. \_\_\_, 112 S.Ct. 995, 117 L.Ed.2d 156 (1992). R. 165. On remand, the district court determined that the

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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

excessive force claim lacked merit and granted the defendants' motions to dismiss.

Burrell does not address the merits of the district court's opinion. He states that he does not feel that it is necessary to file another appeal brief in the same case. He asserts that the only reason that the district court dismissed the case "without any respect for the law" was because the Assistant Attorney General is a female. The remainder of his brief is a narrative of his opinion of the legal system and transfers to various units in the prison system.

This Court will not address issues that Burrell has failed to assert; therefore, his claims presented in the district court are deemed abandoned. See Brinkman v. Dallas County Deputy Sheriff Abner, 813 F.2d 744, 748 (5th Cir. 1987). To the extent that his additional claim on appeal alleges judicial bias, his argument is frivolous.

AFFIRMED. The motion for appointment of counsel is DENIED.