

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 94-41212
Conference Calendar

PETE VARDAS, JR.,

Plaintiff-Appellant,

versus

TEXAS BOARD OF PARDONS AND PAROLES,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 6:94-CV-556

- - - - -
(January 25, 1995)

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

PER CURIAM:*

Pete Vardas, Jr., a Texas state prisoner, filed a civil rights complaint, 42 U.S.C. § 1983. On appeal Vardas argues he was improperly denied parole and access to educational programs.

Members of the parole board are absolutely immune from liability under § 1983 for their conduct in individual parole decisions when exercising their decision-making powers. Walter v. Torres, 917 F.2d 1379, 1384 (5th Cir. 1990). Therefore, to the extent that Vardas sought monetary relief against the

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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

individual members of the Texas Board of Pardons and Paroles, the members are absolutely immune and this claim was properly dismissed as frivolous.

The state has no constitutional obligation to provide educational or vocational training to prisoners. See Beck v. Lynaugh, 842 F.2d 759, 762 (5th Cir. 1988). This claim is properly dismissed.

For the first time on appeal Vardas argues that he was denied access to the court, that he was denied adequate medical care, and that he was retaliated against for filing lawsuits. This court need not address issues not considered by the district court. "[I]ssues raised for the first time on appeal are not reviewable by this court unless they involve purely legal questions and failure to consider them would result in manifest injustice." Varnado v. Lynaugh, 920 F.2d 320, 321 (5th Cir. 1991).

Judgment AFFIRMED; motions to strike and for appointment of counsel DENIED.