UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 94-60770
Summary Calendar

ADISA R.A.M. AL-RA'ID, a/k/a Thomas E. Jones and QAWI ABDUL MALIK,

Plaintiffs-Appellants,

versus

W. WARNER, Warden, ET AL.,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Texas
(93-CV-31)

(June 7, 1995)

Before JONES, BARKSDALE and BENAVIDES, Circuit Judges.

PER CURIAM:*

Adisa R.A.M. Al-Ra'id and Qawi Abdul Malik, prisoners in the McConnell Unit of the Texas Department of Criminal Justice - Institutional Division (TDCJ-ID), filed a civil rights suit pursuant to 42 U.S.C. § 1983 against several prison officials alleging interference with their practice of the Islamic

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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

religion. On October 14, 1994, the district court held a Spears[1] hearing for each of the plaintiffs. Following each hearing, the district court ruled from the bench and dismissed all of the claims as frivolous pursuant to 28 U.S.C. § 1915(d). Al-Ra'id and Malik filed a timely notice of appeal. We find no error and affirm.

DISCUSSION

Al-Ra'id and Malik were granted in forma pauperis (IFP) status and the two claims now on appeal were dismissed by the district court as frivolous.[2] An IFP claim that has no arguable basis in law or fact may be dismissed as frivolous. 28 U.S.C. § 1915(d); Booker v. Koonce, 2 F.3d 114, 115 (5th Cir. 1993). The district court's dismissal of the claims will be disturbed only for an abuse of discretion. Booker, 2 F.3d at 115.

Al-Ra'id and Malik assert that the district court abused its discretion in dismissing their claim that prison officials unconstitutionally interfered with their practice of religion by requiring them to shave. Al-Ra'id and Malik contend that the district court did not consider their claim in light of the Religious Freedom Restoration Act of 1993 (RFRA), 42 U.S.C. §§ 2000bb-2000bb-4. Id. This is the sole challenge made to the district court's actions with respect to this claim. Id.

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[1] Spears v. McCotter, 766 F.2d 179 (5th Cir. 1985).

[2] All other issues are deemed abandoned. Hobbs v. Blackburn, 752 F.2d 1079, 1083 (5th Cir.), cert. denied, 474 U.S. 838 (1985).

The RFRA proscribes the substantial burdening of the exercise of religion by government except when it is done "in the least restrictive means" that is "in furtherance of a compelling governmental interest." 42 U.S.C. § 2000bb-1. Contrary to the appellants' assertion, the district court specifically considered the RFRA in finding that there was a compelling security interest in prohibiting long hair and beards and that there was no less intrusive manner to achieve that end than prohibiting long hair and beards. As the appellants do not challenge these findings on appeal, but merely assert that the district court did not consider the RFRA in making its determination, they have not shown that the district court abused its discretion.

With respect to his claim that prison officials interfered with his practice of religion by not allowing him to attend Friday night prayer services while in closed custody, Malik makes the same argument as was disposed of above. Malik asserts that the district court concluded that his claim was frivolous without considering the RFRA. The district court made the following finding:

> I find that you were allowed to pray three times a day unrestricted; that you were allowed to go to Wednesday night services . . . ; that you were allowed alternate means of worshiping in your religion; that you received your religious publications; that the government has shown a legitimate security concern . . . for being unable to have the Friday night services . . . in the closed security area. . . . I do understand from the Warden's testimony that they are making an effort to try to find someone that will come and conduct . . . the Friday night services on those closed units. That

> pursuant to [42 U.S.C. § 2000bb-1], I don't find that the government substantially burdened your exercise of your religious freedom, and that the regulation and the problem that they had conducting a Friday night service in the closed unit, of which you are a member, was in furtherance of a compelling interest and was actually the least restrictive means of furthering that compelling government interest.

As above, Malik has made no other challenge to the district court's conclusion that his claim was frivolous other than asserting that the district court did not consider the RFRA. There is no basis for ordering a remand to the district court. As the district court did consider the RFRA, Malik has not shown any abuse of discretion. The judgment of the district court is **AFFIRMED**.