

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-10170
Conference Calendar

DAVID C. DEGRATE,

Plaintiff-Appellant,

versus

CARL HAYS, Public Defender, ET AL.,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:94-CV-2219-P
- - - - -

June 29, 1995

Before JONES, WIENER, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

The district court did not abuse its discretion by *sua sponte* dismissing David C. Degrate's 42 U.S.C. § 1983 complaint as time-barred pursuant to 28 U.S.C. § 1915(d). Ancar v. Sara Plasma, Inc., 964 F.2d 465, 468 (5th Cir. 1992); Burrell v. Newsome, 883 F.2d 416, 418, 422 (5th Cir. 1989).

Degrate's motions to reinstate the case, add new claims, and for a change of venue are DENIED.

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 Pursuant to that Rule, the court has determined that this opinion should not be published.

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