

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-10753
Summary Calendar

JOHN TIMOTHY EDMOND,

Plaintiff-Appellant,

versus

A. TATSCH, Tarrant County Jailer;
R. COOPER, Tarrant County Jailer,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:95-CV-73-A
- - - - -

April 23, 1996

Before HIGGINBOTHAM, DUHÉ, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

John Timothy Edmond appeals the dismissal of his 42 U.S.C. § 1983 suit pursuant to Fed. R. Civ. P. 52(c). The facts adduced in the record support the finding that the defendants applied force in order to restore order and maintain discipline and not maliciously to cause harm. Accordingly, the district court did not err in granting the defendants' Rule 52(c) motion for judgment as a matter of law. See Valencia v. Wiggins, 981 F.2d 1440, 1446 (5th Cir.), cert. denied, 113 S. Ct. 2998 (1993).

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Edmond's arguments that the district court abused its discretion in denying his motions for appointment of counsel and failed to make specific findings of fact and conclusions of law as required by Fed. R. Civ. P. 52(a), are also unavailing.

AFFIRMED.