

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-31143  
Summary Calendar

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JUVENTINO MUNOZ,

Plaintiff-Appellant,

versus

KEITH SIMONE ET AL.,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Eastern District of Louisiana  
USDC No. CA-95-2559-L  
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No. 95-31304  
Summary Calendar

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JUVENTINO MUNOZ,

Plaintiff-Appellant,

versus

GLEN JAMBON, Major,

Defendant-Appellee.

- - - - -  
Appeal from the United States District Court  
for the Eastern District of Louisiana  
USDC No. 94-CV-4192-J  
- - - - -

May 16, 1996

Before GARWOOD, WIENER, and PARKER, Circuit Judges.

PER CURIAM:\*

Juventino Munoz appeals the dismissal of two civil rights complaints. In the first, Munoz argues that the district court erred by dismissing his use-of-force and denial-of-medical-care claims as time-barred. See Munoz v. Simone, No. CA-95-2559-L (E.D. La.; Oct. 30, 1995). We have reviewed the record and Munoz's brief and AFFIRM the district court's dismissal of the claims for the same reasons set forth by the district court. Id.

In the second, Munoz argues in general terms that the district court abused its discretion by dismissing as frivolous his complaint wherein he alleged that his legal mail was opened outside of his presence. As the district court's dismissal was for failure to state a claim upon which relief could be granted, Munoz's arguments on appeal are unavailing and we AFFIRM the dismissal for the same reasons set forth by the district court. See Munoz v. Jambon, No. 94-CV-4192-J (E.D. La.; Feb. 10, 1995).

No. 95-31143 AFFIRMED.

No. 95-31304 AFFIRMED.

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.