

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-31205
Summary Calendar

ALFRED JOSEPH ALEXANDER,

Plaintiff-Appellant,

versus

JOSEPH S. WOODLEY; SANDRA P. PAYNE;
GORDON E. ROUNTREE; BOSSIER RADIOLOGY
CENTER; RICHARD D. HANDLEY, M.D.,

Defendants-Appellees.

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Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 95-CV-113
- - - - -

May 29, 1996

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

PER CURIAM:¹

Alfred Joseph Alexander appeals from the district court's dismissal of his civil rights action for failure to state a claim pursuant to Fed. R. Civ. 12(b)(6). Alexander's challenge to the district court's imposition of sanction and its refusal to grant a hearing on his request for injunctive relief is not properly before the court as Alexander previously appealed these issues.

¹ Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Alexander's challenge to the magistrate judge's order setting aside the entry of a default judgment was not appealed to the district court and therefore cannot be reviewed by this court. Colburn v. Bunge Towing, Inc., 883 F.2d 372, 379 (5th Cir. 1989). Alexander contends that the district court erred in dismissing his action against appellees. We have reviewed the record and Alexander's briefs and AFFIRM the district court's dismissal for essentially the same reasons adopted by the district court. Alexander v. Woodley, 95-CV-113 (W.D. La. Nov. 15, 1995).

AFFIRMED.