

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-40984  
Conference Calendar

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ROBERT LAMARR ALLEN,

Plaintiff-Appellant,

versus

KEITH J. PRICE, Warden, Coffield  
Unit; JUDITH L. MERRILL, Correctional  
Officer II, Coffield Unit,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 6:95-CV-607  
- - - - -

June 26, 1996

Before HIGGINBOTHAM, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Robert Lamarr Allen, #636644, appeals from the district court's dismissal of his civil rights complaint as frivolous pursuant to 28 U.S.C. § 1915(d). We have reviewed the record and the decision of the district court and find no abuse of discretion. Accordingly, the judgment is AFFIRMED for essentially the reasons stated by the magistrate judge and adopted by the district court. Allen's request for appointment of counsel is DENIED as moot.

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

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AFFIRMED.