

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-30812
Summary Calendar

LARRY A. BROYARD,

Plaintiff-Appellant,

versus

BURL CAIN, Acting Warden,
Louisiana State Penitentiary;
DORA RABALAIS; JANETTA ANTOINE,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. 95-CV-1654-B
- - - - -

November 21, 1996

Before REAVLEY, JONES and STEWART, Circuit Judges.

PER CURIAM:*

Larry A. Broyard, Louisiana inmate #96610, appeals the district court's dismissal as frivolous of his pro se and in forma pauperis civil rights complaint. Broyard argues that the penitentiary's no-smoking policy violates his due process and equal protection rights and his right to be free from ex post facto punishment. We have reviewed the record and Broyard's

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

brief and AFFIRM for the reasons adopted by the district court.

Broyard v. Cain, No. 95-1654-B-M2 (M.D. La. July 24, 1996).