

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-40110  
Summary Calendar

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LEE ANTHONY JOHNSON,

Plaintiff-Appellant,

versus

ALTON CASKEY, Asst. Warden, ET AL.,

Defendants.

A. JEFFCOAT, UDC Capt.; JAMES LARUE, Sgt.;  
MARK SIMMONS, Officer; DAVID GROVES, Officer,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 6:93-CV-789  
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October 9, 1996

Before SMITH, DUHÉ, and BARKSDALE, Circuit Judges.

PER CURIAM:<sup>1</sup>

Lee Anthony Johnson (#290961), a Texas state prison inmate, has appealed the dismissal of his civil rights action. The dismissal of his claims against appellees Alford, Caskey, and Kirkpatrick is AFFIRMED because Johnson has not adverted to them in

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 Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

his brief. See Grant v. Cuellar, 59 F.3d 523, 524-25 (5th Cir. 1995).

The dismissal of Johnson's claims against appellees Jeffcoat, Hutchinson, and Rowe concerning the deprivation of good-time credits is AFFIRMED, on authority of Heck v. Humphrey, 114 S. Ct. 2364 (1994).

The dismissal of Johnson's claims against appellees LaRue, Simmons, and Groves is AFFIRMED because Johnson has made only conclusional allegations that their search of his property was motivated by retaliation. See Woods v. Smith, 60 F.3d 1161, 1166 (5th Cir. 1995), cert. denied, 116 S. Ct. 800 (1996). Johnson failed to preserve this as an appellate issue because he did not adequately raise it in his objections to the magistrate judge's report. See Nettles v. Wainwright, 677 F.2d 404, 409-10 (5th Cir. Unit B 1982)(en banc).

IT IS FURTHER ORDERED that Johnson's motion for the preparation of the hearing transcript is DENIED.

JUDGMENT AFFIRMED.