

UNITED STATES COURT OF APPEALS
FIFTH CIRCUIT

No. 96-40266

(Summary Calendar)

WILLIAM DEXTER WHITE,

Plaintiff-Appellant,

versus

RONALD W COOPER ET AL.,

Defendants,

RONALD W COOPER; RONALD R REED,

Defendants-Appellees.

Appeal from the United States District Court
For the Eastern District of Texas
(9:91-CV-177)

October 7, 1997

Before WIENER, BARKSDALE, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

Texas prisoner William Dexter White, # 545599, appeals the denial of his motion for a new trial following the jury's rejection of his civil rights claims against Texas Department of Criminal

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

Justice employees Sergeant Ronald Cooper and Dr. Ronald Reed. Trial was held before a magistrate judge pursuant to 28 U.S.C. § 636(c). White contends that he should have been granted a new trial because the jury selection proceedings violated *Batson v. Kentucky*;** jury misconduct caused the trial to be unfair; he was denied adequate pretrial discovery; the jury was given erroneous instructions; and, the jury's verdict was inconsistent. Having reviewed the record and White's brief, we AFFIRM for essentially the same reasons set forth by the magistrate judge. *White v. Cooper*, No. 9:91cv177 (E.D. Tex. Feb. 14, 1996). We reject White's argument that the appeal should be stayed until a transcript of the entire trial has been provided to him and we find that the magistrate judge accorded White a full and fair hearing on his motion for a new trial.

AFFIRMED.

** 476 U.S. 79, 106 S. Ct. 1712 (1986).