

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-40551  
Conference Calendar

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EDWARD ALLEN DAVIS,

Plaintiff-Appellant,

versus

WAYNE SCOTT, DIRECTOR, TEXAS DEPARTMENT  
OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 6:96-CV-150  
- - - - -

August 22, 1996

Before KING, DUHÉ, and DeMOSS, Circuit Judges.

PER CURIAM:\*

Edward Allen Davis, # 369112, an inmate of the Texas Department of Criminal Justice (TDCJ), appeals the dismissal of his civil rights complaint. Davis's sole argument on appeal is that the defendant failed to show a governmental interest in restricting him from receiving sexually explicit magazines he ordered. We have reviewed the record and Davis's brief and

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

AFFIRM the dismissal for essentially the same reasons set forth by the district court. Davis v. Scott, No. 6:96cv150 (E.D. Tex. May 30, 1996). The motion to produce evidence is DENIED.

AFFIRMED.