

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-40596
Summary Calendar

PATRICK MAC JACKSON,

Plaintiff-Appellant,

versus

MARSHALL HERKLOTZ, Southern
Regional Director, ET AL.,

Defendants-Appellees.

Appeal from the United States District Court for the
Southern District of Texas
USDC No. G-92-CV-483

January 15, 1998
Before JOLLY, BENAVIDES, and PARKER, Circuit Judges.

PER CURIAM:*

Patrick Mac Jackson, Texas inmate #478883, appeals the dismissal as frivolous of his 42 U.S.C. § 1983 complaint. Jackson's motion for an evidentiary hearing before this court is DENIED.

We have carefully reviewed the record and the appellate arguments. For essentially the same reasons upon which the district court relied by adopting the magistrate judge's report,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

see Jackson v. Herklotz, No. G-92-483 (S.D. Tex. Mar. 27, 1996), we conclude that the district court did not abuse its discretion in dismissing Jackson's claims.

A F F I R M E D.