

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-50432
Summary Calendar

ANTHONY L. CARTER,

Plaintiff-Appellant,

versus

S. ONTIVEROS; J. PRESTAGE, Capt.,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. SA-95-CV-1239
- - - - -

January 31, 1997

Before GARWOOD, JOLLY and DENNIS, Circuit Judges:

PER CURIAM:*

Anthony L. Carter, # 694133, appeals the district court's order dismissing his 42 U.S.C. § 1983 claim as frivolous under 28 U.S.C. § 1915(e)(2)(B)(I)(formerly § 1915(d)) and denying his motion for reconsideration. Having reviewed the record and Carter's arguments on appeal, we affirm for essentially the same reasons stated by the district court. Carter v. Ontiveros, No. SA-95-CV-1239 (W.D. Tex. April 18, 1996, May 15, 1996).

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

AFFIRMED.