

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-60010
Summary Calendar

JERRY D. GRAVES,

Plaintiff-Appellant,

versus

JIMMY PARKER; CHRISTOPHER EPPS; GREGORY BRIGGS;
JOHN DOE COLEMAN; ORA DAVIS; SAM WEBB; LEVON JACKSON;
JOHNNY MOORE; FLOYD BASS; RAYFORD JONES; JAMES DORSEY;
JERRY NORWOOD; EDWARD HARGETT, SUPERINTENDENT,
MISSISSIPPI STATE PENITENTIARY,

Defendants-Appellees.

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Appeal from the United States District Court
for the Northern District of Mississippi
USDC No. 4:94-CV-317-B-A
- - - - -

March 26, 1996

Before DAVIS, BARKSDALE, and DeMOSS, Circuit Judges.

PER CURIAM:*

Mississippi prisoner Jerry D. Graves appeals the district court's dismissal of his complaint for failure to exhaust his administrative remedies with the Mississippi Department of Corrections. Graves has not established that a monetary remedy

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

is unavailable or that there is "doubt as to whether the agency [is] empowered to grant effective relief." McCarthy v. Madigan, 503 U.S. 140, 147 (1992). Thus, he has failed to show that the district court abused its discretion by dismissing the suit because Graves disregarded its instructions to exhaust prison administrative remedies. FED. R. CIV. P. 41(b); McCullough v. Lynaugh, 835 F.2d 1126, 1127 (5th Cir. 1988).

AFFIRMED.