

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-60303
Conference Calendar

MARSHAUN STEWART,

Plaintiff-Appellant,

versus

STANLEY RUSSELL,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Northern District of Mississippi
USDC No. 4:95CV268-S-D
- - - - -

October 23, 1996

Before POLITZ, Chief Judge, and JOLLY and HIGGINBOTHAM, Circuit Judges.

PER CURIAM:*

Marshaun Stewart, #55420, appeals the district court's dismissal of his civil rights complaint for failure to prosecute pursuant to Fed. R. Civ. P. 41(b). The district court did not abuse its discretion in dismissing the complaint without prejudice for Stewart's failure to exhaust his administrative remedies as ordered by the court. Fed. R. Civ. P. 41(b); McCullough v. Lynaugh, 835 F.2d 1126, 1127 (5th Cir. 1988).

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.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