

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 97-10235  
Summary Calendar

---

CALEB O. ADONGO,

Plaintiff-Appellant,

versus

DAVID W. WILLIAMS, Sheriff, Tarrant County, Texas;  
COUNTY COMMISSIONER, Tarrant County, Texas,

Defendants-Appellees.

- - - - -  
Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:96-CV-765-A  
- - - - -

September 29, 1997  
Before KING, HIGGINBOTHAM, and DAVIS, Circuit Judges.

PER CURIAM:\*

Caleb O. Adongo, a pretrial detainee at the Tarrant County (Tex.) Jail, appeals the district court's order granting summary judgment to the defendants in his civil rights action, filed pursuant to 42 U.S.C. § 1983.

This court may affirm the district court's order on any ground apparent from the record. See Sojourner T v. Edwards, 974

---

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

F.2d 27, 30 (5th Cir. 1992). In this case, Adongo has failed to allege how the named defendants were personally involved in the wrongdoing he alleges; he has asserted that jail employees fed him and other inmates servings of cake, baked by a private corporation, that had been contaminated with a cleaning product. See Woods v. Edwards, 51 F.3d 577, 583 (5th Cir. 1995).

Individual liability under § 1983 may not be predicated on the vicarious-liability doctrine of respondeat superior. See Coleman v. Houston Indep. Sch. Dist., 113 F.3d 528, 534 (5th Cir. 1997). For the first time on appeal, Adongo raises a speedy-trial claim. Such a claim is in the nature of a habeas corpus claim because it is a challenge to the fact or duration of his confinement and must be brought in a habeas proceeding. See Cook v. Texas Dep't of Crim. Justice Transitional Planning Dep't, 37 F.3d 166, 168 (5th Cir. 1994) (citing Preiser v. Rodriguez, 411 U.S. 475, 484 (1973)).

AFFIRMED.