

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 97-10422  
Summary Calendar

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TIMOTHY R. WALLACE,

Plaintiff-Appellant,

versus

WAYNE SCOTT, EXECUTIVE DIRECTOR, TEXAS DEP'T  
OF CRIM. JUSTICE, INST'L DIV., ET AL.,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 7:96-CV-156-X  
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December 26, 1997  
Before DUHE', DeMOSS and DENNIS, Circuit Judges.

PER CURIAM:\*

Timothy R. Wallace (#739841), a state prisoner, has appealed the dismissal of his civil rights complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) because it failed to state a claim upon which relief may be granted. Wallace contends that he has a constitutional right to a racially segregated cell because his animus toward blacks made it unsafe to house him with a black inmate. Wallace also contends that he was denied due process at

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

prison disciplinary proceedings because the prison disciplinary officers had failed to consider the circumstances of his disciplinary violations. Essentially for reasons stated by the magistrate judge and adopted by the district court, we hold that the district court did not err in dismissing these claims under 28 U.S.C. § 1915(e)(2)(B)(ii). See Wallace v. Scott, No. 7:96-CV-156-X (N.D. Tex. Mar. 13, 1997) (unpublished). Wallace also contends that the district court erred in failing to consider his supplemental state-law claims. "District courts enjoy wide discretion in determining whether to retain supplemental jurisdiction over a state claim once all federal claims are dismissed." Noble v. White, 996 F.2d 797, 799 (5th Cir. 1993). There was no abuse of discretion in failing to consider Wallace's state-law claims.

AFFIRMED.