

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-20033
Conference Calendar

FREDDIE ROBIN EDWARDS,

Plaintiff-Appellant,

versus

SAM NUCHIA; GERALD F. CRAWFORD,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-94-CV-2650

October 22, 1997

Before POLITZ, Chief Judge, and WIENER and DENNIS, Circuit Judges.

PER CURIAM:*

Freddie Robin Edwards, a Texas inmate (# 658647), appeals from the district court's dismissal of his pro se civil rights complaint, in which he had alleged that he was falsely arrested for auto theft in 1992.

Edwards argues that the district court erred in determining that his claims were barred by the rule of Heck v. Humphrey, 512 U.S. 477 (1994), in that he continues to serve a sentence that

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

would be invalidated were his claims found to be meritorious. The court dismissed the complaint after holding a hearing pursuant to Spears v. McCotter, 766 F.2d 179 (5th Cir. 1985).

We have reviewed the record and Edwards' brief and find no reversible error in the district court's dismissal. See Edwards v. Nuchia, No. H-94-2650 (S.D. Tex. Dec. 24, 1996). The appeal is without arguable merit and is thus frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983). Accordingly, the appeal is DISMISSED. 5TH CIR. R. 42.2.

Edwards' motions to correct his brief to add references to the record, to order production of a transcript of the Spears hearing, to supplement the record with exhibits, for appointment of counsel, and for civil contempt are DENIED.

MOTIONS DENIED; APPEAL DISMISSED.