

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-30784
Conference Calendar

ALTON J. CHAISSON, III,

Plaintiff-Appellant,

versus

BREAUX ET AL.,

Defendants,

DON BREAUX ET AL.,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 95-CV-1183
- - - - -

August 20, 1998

Before KING, HIGGINBOTHAM, and JONES, Circuit Judges.

PER CURIAM:*

Alton J. Chaisson, III appeals from the district court's grant of summary judgment in favor of the defendants in the civil rights action that his deceased father, Alton Chaisson, Jr., filed pursuant to 42 U.S.C. §§ 1983, 1985, and 1986. Chaisson argues that the evidence was sufficient to create a genuine issue of material fact as to whether prison officials at Louisiana

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Parish Correctional Center (LPCC) provided the plaintiff with inadequate medical care. He further argues that LPCC officials violated the plaintiff's rights under the Equal Protection Clause by discriminating against him on the basis of his race.

The district court did not err in concluding that LPCC officials were not deliberately indifferent to the plaintiff's medical needs. See Estelle v. Gamble, 429 U.S. 97, 106 (1976). The district court also did not err in holding that the plaintiff failed to establish a genuine issue of material fact regarding whether LPCC officials discriminated against him on the basis of his race. Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248-49 (1986). This appeal lacks arguable merit and is thus frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983). Because the appeal is frivolous, it is DISMISSED. 5TH CIR. R. 42.2.

APPEAL DISMISSED.