

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-40319
Conference Calendar

LEOPOLD LEE PEDRAZA,

Plaintiff-Appellant,

versus

RONALD G. PERKINS ET AL.,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. V-95-CV-76
- - - - -

April 10, 1998

Before JOLLY, JONES, and DUHÉ, Circuit Judges.

PER CURIAM:*

Leopold Lee Pedraza, Texas prisoner # 441538, filed a civil rights action under 42 U.S.C. § 1983 against the Chief of Police for the City of Victoria, Texas, several other employees of the police department, and the City of Victoria. The district court ordered Pedraza to serve the defendants in 120 days. Subsequently, the district court dismissed the entire complaint against all defendants without prejudice for Pedraza's failure to serve the defendants and denied all of Pedraza's motions seeking postjudgment

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

relief. Pedraza has not shown either good cause or excusable neglect for his failure to comply with the rules of service. See Kersh v. Derozier, 851 F.2d 1509, 1512 (5th Cir. 1988).

DISMISSED AS FRIVOLOUS. 5th Cir. R. 42.2.