

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 97-40700  
Conference Calendar

---

RAFAEL VASQUEZ,

Plaintiff-Appellant,

versus

TOMMY BROWN,

Defendant-Appellee.

- - - - -  
Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 1:96-CV-694  
- - - - -

February 12, 1998

Before SMITH, EMILIO M. GARZA, and DeMOSS, Circuit Judges.

PER CURIAM:\*

Rafael Vasquez, Texas prisoner #582839, appeals from the district court's dismissal of his civil rights complaint as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B)(i). Vasquez contends that the defendant-guard was deliberately indifferent to his safety needs, in violation of the Eighth Amendment. We have reviewed the record and Vasquez's brief, and we AFFIRM the district court's dismissal for essentially the same reasons

---

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No.

-2-

adopted by the district court. See Vasquez v. Brown, No.  
1:96cv694 (E.D. Tex. May 19, 1996).