

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-40788
Conference Calendar

CURTIS CONWAY,

Plaintiff-Appellant,

versus

V.I. RAMIREZ, JR.; TEXAS
DEPARTMENT OF CRIMINAL JUSTICE,
INSTITUTIONAL DIVISION,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. C-96-CV-641
- - - - -

February 9, 1999

Before BARKSDALE and EMILIO M. GARZA, Circuit Judges.*
PER CURIAM:*

Curtis Conway, Texas state prisoner #481016, appeals from the district court's dismissal of his civil rights complaint as frivolous. Conway argues that he was subjected to an excessive use of force in violation of the Eighth Amendment. We have reviewed the record and find no reversible error. Because Conway's alleged injury was de minimis, he has failed to raise a valid Eighth Amendment claim for an excessive use of force. See

*This matter is being decided by a quorum. 28 U.S.C. § 46(d).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Siglar v. Hightower, 112 F.3d 191, 193 (5th Cir. 1997).

Accordingly, the judgment is AFFIRMED.

AFFIRMED.