

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-50558
Summary Calendar

GENE E. HOWLAND,

Plaintiff-Appellant,

versus

DAN MORALES, Attorney General,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. A-96-CV-768
- - - - -

March 2, 1999

Before JOLLY, SMITH, and WIENER, Circuit Judges.

PER CURIAM:*

Gene Edward Howland, Texas state prisoner #763638, appeals from the district court's dismissal of his civil rights complaint for failure to state a claim upon which relief could be granted. He argues that Tex. Gov. Code Ann. § 552.028 is unconstitutional, that the district court erred by denying his motion for class certification, that the district court abused its discretion by denying his motion for the appointment of counsel, and that the court's collection order was in violation of the Prison

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Litigation Reform Act. We have reviewed the record and find no reversible error. Accordingly, the judgment is AFFIRMED for essentially the reasons stated by the district court. See Howland v. Morales, No. A96-CA-768SS (W.D. Tex. Apr. 9, 1998).

AFFIRMED.