

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 98-60229  
Conference Calendar

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CHARLES E. KIRK,

Plaintiff-Appellant,

versus

DOYLE MORROW, Captain of Narcotics,  
Charleston Police Department;  
JERRY WAYNE WILLIAMS, Chief,  
Charleston Police Department;  
JOHN PAGE, Officer, Charleston  
Police Department,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Northern District of Mississippi  
USDC No. 2:96-CV-130-B  
- - - - -

August 25, 1999

Before KING, Chief Judge, and DAVIS and SMITH, Circuit Judges.

PER CURIAM:\*

Charles E. Kirk, Mississippi prisoner # 40934, appeals the district court's summary judgment in favor of defendants and dismissal of his 42 U.S.C. § 1983 claims. Kirk is collaterally estopped from relitigating Fourth Amendment search-and-seizure issues already fully and fairly litigated in the state court

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

criminal proceedings against him. See Allen v. McCurry, 449 U.S.

90, 103-05 (1980). Accordingly, the district court's dismissal of all of Kirk's § 1983 claims against the defendants is hereby AFFIRMED.

AFFIRMED.