

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-60294
Summary Calendar

LARRY LEE JONES,

Plaintiff-Appellant,

versus

BOARD OF SUPERVISORS, of Franklin County, Mississippi;
JAMES NEWMAN, Sheriff,

Defendants-Appellees.

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Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 3:97-CV-323-LN
- - - - -

April 28, 1999

Before JOLLY, SMITH, and WIENER, Circuit Judges.

PER CURIAM:*

Larry Lee Jones, Mississippi prisoner #19614, appeals from the grant of summary judgment for the defendants in his prisoner's civil rights action. Jones contends that the district court erred by granting summary judgment for the Board of Supervisors and for Sheriff James Newman in his official capacity because the defendants should be liable for Sheriff Newman's abuse of his policy-making capacity. He argues that a list of dates written by Sheriff Newman created a genuine issue of

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

material fact regarding when Sheriff Newman knew of the injury to his (Jones's) hand and therefore of his need for medical treatment. Jones finally contends that the district court deprived him of his right to a jury trial by granting summary judgment for the defendants.

Regarding Jones's medical-care claims, we have reviewed the record and the briefs of the parties and we find no reversible error. Accordingly, we affirm the grant of summary judgment on those claims for essentially the same reasons as relied upon by the district court. *See Jones v. Bd. of Supervisors*, No. 3:97-CV-323-LN (S.D. Miss. Apr. 16, 1998). Finally, Jones's right to a jury trial was not violated by the grant of summary judgment. *Plaisance v. Phelps*, 845 F.2d 107, 108 (5th Cir. 1988).

AFFIRMED.