

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-10694
Conference Calendar

RAYMOND KING,

Plaintiff-Appellant,

versus

GARY L. JOHNSON, DIRECTOR, TEXAS
DEPARTMENT OF CRIMINAL JUSTICE,
INSTITUTIONAL DIVISION; JOHN DOES,
Officer; JANE DOES, Officer; TEXAS
DEPARTMENT OF CRIMINAL JUSTICE,
INSTITUTIONAL DIVISION,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 5:97-CV-390-C

August 24, 2000

Before KING, Chief Judge, and POLITZ and WIENER, Circuit Judges.

PER CURIAM:*

Raymond King, Texas prisoner No. 636040, appeals the district court's dismissal of his civil rights complaint and moves this court for a protective order. The motion for a protective order is DENIED. King's complaint challenges the defendants' interpretation of the Texas Department of Criminal Justice (TDCJ) regulations concerning inmates' receipt 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

sexually explicit materials. He alleges that his Equal Protection rights have been violated because the TDCJ "approved publication list" includes magazines featuring lesbian activity, but it omits other magazines specializing in minority lesbian subjects. King cannot establish an equal protection violation because he does not suggest that he has been treated differently from any other TDCJ prisoner. Thompson v. Patteson, 985 F.2d 202, 207 (5th Cir. 1993). At best, he has alleged only inconsistent censorship, which is insufficient to support an equal protection violation. Id.

AFFIRMED; MOTION FOR PROTECTIVE ORDER DENIED.