

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-40947
Conference Calendar

NATHAN McDADE,

Plaintiff-Appellant,

versus

REGINALD BROWN,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 1:99-CV-274
- - - - -

April 11, 2000

Before WIENER, DeMOSS, and PARKER, Circuit Judges.

PER CURIAM:*

Nathan McDade, a Texas prisoner (# 800995), appeals from the district court's sua sponte dismissal of his 42 U.S.C. § 1983 civil rights complaint as frivolous, pursuant to 28 U.S.C. § 1915(e)(2). McDade alleged that he had been denied access to the courts in violation of the First Amendment and Due Process Clause. The district court did not abuse its discretion in concluding that McDade had failed to show that he suffered an "actual injury" with respect to law-library restrictions imposed by defendant Reginald Brown and that his complaint was thus

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

frivolous. See Denton v. Hernandez, 504 U.S. 25, 33-34 (1992);
Lewis v. Casey, 518 U.S. 343, 350-51 (1996).

AFFIRMED.