

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-60276
Conference Calendar

ANTHONY HOSTON,

Plaintiff-Appellant,

versus

BUDDY PASSON,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 5:96-CV-181-BrS
- - - - -

April 13, 2000

Before WIENER, DeMOSS, and PARKER, Circuit Judges.

PER CURIAM:*

Anthony Hoston, Mississippi state prisoner # 76712, appeals the magistrate judge's decision to grant the Defendant's motion for judgment as a matter of law and dismiss Hoston's 42 U.S.C. § 1983 civil rights complaint. See Fed. R. Civ. P. 52(c). On appeal, Hoston re-urges the merits of his claim that the Sheriff of Yazoo County, Buddy Passon, denied him adequate medical care for a broken nose sustained during an altercation with another inmate. Hoston has failed to identify any error in the magistrate judge's findings of fact or conclusions of law. See

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Fed. R. Civ. P. 52(a); *Halpern v. Lexington Ins. Co.*, 715 F.2d 191, 192 (5th Cir. 1983)(findings of fact are presumptively correct and shall not be set aside unless clearly erroneous). Accordingly, the magistrate judge's decision is AFFIRMED.