

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-10300
Summary Calendar

ROJELIO MORA MINJAREZ,

Plaintiff-Appellant,

versus

ATTORNEY GENERAL OF TEXAS; TEXAS
DEPARTMENT OF CRIMINAL JUSTICE -
INSTITUTIONAL DIVISION,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:99-CV-2445-H

September 18, 2001

Before JOLLY, BENAVIDES, and STEWART, Circuit Judges.

PER CURIAM:*

Rojelio Mora Minjarez, Texas prisoner # 559456, appeals the district court's denial of his motion for reconsideration of his 42 U.S.C. § 1983 lawsuit, which he raised under FED. R. CIV. P. 60(b)(1). Minjarez asserts that the district court erred in dismissing his lawsuit as frivolous; that the court improperly relied upon Heck v. Humphrey, 512 U.S. 477 (1994), to deny him relief; that the district court had "misinterpreted" the basis of his complaint; that Minjarez had forfeited his earned good-time

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

credits without the benefit of a hearing; and that Minjarez had been bound to mandatory supervision despite the fact that the Texas law governing mandatory supervision was unconstitutional and despite the fact that Minjarez had failed to sign the contract allowing for such supervision. Minjarez has failed to show that the district court abused its discretion in denying the motion. See Travelers Ins. Co. v. Liljeberg Enter., Inc., 38 F.3d 1404, 1408 (5th Cir. 1994); Seven Elves, Inc. v. Eskenazi, 635 F.2d 396, 402 (5th Cir. 1981). Consequently, the judgment of the district court is AFFIRMED.

Minjarez has also filed a "Motion for Equitable Relief and Damages." This motion is DENIED.

AFFIRMED; MOTION DENIED.