

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-40160  
Conference Calendar

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ROLAND GERARD ARENAS,

Plaintiff-Appellant,

versus

J.P. LUBY, Sheriff, ET AL.,

Defendants,

DAVID SCHWARTZ, Police Officer,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. C-93-CV-388  
- - - - -

August 22, 1995

Before KING, JOLLY, and WIENER, Circuit Judges.

PER CURIAM:\*

IT IS ORDERED that the motion of appellant Roland Arenas to dismiss this appeal relative to appellee David Schwartz is GRANTED.

IT IS FURTHER ORDERED that Arenas's motion to add additional

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\* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the court has determined that this opinion should not be published.

unnamed defendants, as stated in his "amended pleading," is DENIED.

IT IS FURTHER ORDERED that this appeal is DISMISSED as moot. See Bailey v. Southerland, 821 F.2d 277, 278-79 (5th Cir. 1987).

IT IS FURTHER ORDERED that appellee Schwartz's motion for an extension of time to file his brief is DENIED as moot.