

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

April 2, 2012

Lyle W. Cayce
Clerk

No. 11-50981
Summary Calendar

EDWARD D. SMITH,

Plaintiff-Appellant,

versus

BASTROP MEDICAL CLINIC, P.A., INCORPORATED;
AUGUSTIN BATLLE, Medical Director;
SARAH CHAVEZ,
Masters of Science in Nursing, Certified Family Nurse Practitioner,

Defendants-Appellees.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 1:11-CV-330

Before REAVLEY, SMITH, and PRADO, Circuit Judges.

PER CURIAM:*

Edward Smith claims the defendants denied him pain medication. He sues under 42 U.S.C. § 1983, but the defendants are private persons and not state actors. Even assuming that Smith has adequately briefed an issue in his *pro se* brief, he has not stated a claim upon which relief may be granted.

The district court properly dismissed, and the judgment is **AFFIRMED**.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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