

## UNITED STATES COURT OF APPEALS

**Filed 1/9/96**

TENTH CIRCUIT

MICHAEL G. BROWN,

Plaintiff - Appellant,

v.

YOUTH CENTER AT TOPEKA; STATE OF KANSAS, Department of Social and Rehabilitation Services; DONNA WHITEMAN, individually and in her capacity as Secretary of Kansas Department of Social and Rehabilitation Services; HAROLD F. ALLEN, individually and in his capacity as Superintendent of the Youth Center at Topeka; DAVID HILDERBRAND, individually and in his capacity as Cottage Director at the Youth Center at Topeka; LARRY SCHMIDT, individually and in his capacity as Youth Service Specialist III at Youth Center at Topeka; WILLIAM VON HEMEL, individually and in his capacity as Youth Service Specialist II at Youth Center at Topeka,

Defendants - Appellees.

No. 95-3167

(D.C. No. 93-4219-DES)

(District of Kansas)

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ORDER AND JUDGMENT\*

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\*This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. The court generally disfavors the citation of orders and judgments; nevertheless, an order and judgment may be cited under the terms and conditions of 10th Cir. R. 36.3.

Before SEYMOUR, Chief Judge, McKAY and HENRY, Circuit Judges.

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After examining the Appellant's brief and appellate record, this panel has determined unanimously that oral argument would not materially assist the determination of this appeal. See Fed. R. App. P. 34(a); 10th Cir. R. 34.1.9. The case is therefore ordered submitted without oral argument.

We AFFIRM for the reasons given by the district court.

Entered for the Court

Monroe G. McKay  
Circuit Judge