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# United States Court of Appeals For the First Circuit

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No. 05-1594

GEORGE WASHINGTON,  
Plaintiff, Appellant,  
v.

CUMBERLAND COUNTY JAIL,  
Defendant, Appellee.

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APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MAINE

[Hon. John A. Woodcock, Jr., U.S. District Judge]

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Before

Boudin, Chief Judge,  
Torruella and Howard, Circuit Judges.

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George Washington, on brief pro se.  
Michael J. Schmidt, on brief for defendant, appellee.

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December 30, 2005

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**Per Curiam.** After carefully considering the briefs and record on appeal, we affirm the judgment below.<sup>1</sup>

The record at summary judgment failed to reveal any trial-worthy issue. Fed. R. Civ. P. 56(c); Triangle Trading Co., Inc., v. Robroy Indus., Inc. 200 F.3d 1 (1<sup>st</sup> Cir. 1999). Among other problems, the appellant admitted that he never exhausted administrative remedies concerning his claim that he was denied access to legal materials. Nicolo v. Philip Morris, Inc., 201 F.3d 29 (1<sup>st</sup> Cir. 2000). In addition, he raises new issues on appeal that were not developed below, thus, are not properly before us. Hernandez-Hernandez v. United States, 904 F.2d 758 (1<sup>st</sup> Cir. 1990).

Affirmed. 1st Cir. R. 27(c).

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<sup>1</sup> Accordingly, we shall not appoint of counsel for the appellant.