

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

August 31, 2007

Charles R. Fulbruge III
Clerk

No. 06-31115
Summary Calendar

NANCY MARIAN WHITTY

Plaintiff-Appellant

v.

NEW ORLEANS POLICE DEPARTMENT; CITY OF NEW ORLEANS;
MAYOR C RAY NAGIN; WARREN J RILEY, Police Superintendent;
OFFICER F DENTON

Defendants-Appellees

Appeal from the United States United States District Court
for the Eastern District of Louisiana
USDC No. 2:06-CV-1835

Before WIENER, GARZA, and PRADO, Circuit Judges.

PER CURIAM:*

We affirm the district court's dismissal without prejudice of Nancy Marian Whitty's suit brought pursuant to 42 U.S.C. § 1983. Her complaint does not allege any facts that would substantiate her conclusory claim that her First and Fourteenth Amendment rights were violated. See *Arnaud v. Odom*, 870 F.2d 304, 307 (5th Cir. 1989) ("A plaintiff may not . . . plead merely conclusory

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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allegations to successfully state a section 1983 claim, but must instead set forth specific facts which, if proven, would warrant the relief sought.”); FED. R. CIV. P. 12(b)(6).

AFFIRMED.