

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-11069  
Conference Calendar

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DONNA TOERPER,

Plaintiff-Appellant,

versus

FRANK D. TROTTER; H. JENNINGS, Sheriff;  
DALLAS COUNTY; DALLAS COUNTY SHERIFF'S DEP'T;  
CITY OF CEDAR HILL; JOHN DOE 1-10; JANE DOE  
1-10; CITY OF CEDAR HILL POLICE DEPARTMENT,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:95-CV-2356-G  
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April 19, 1996

Before DUHÉ, DeMOSS, and DENNIS, Circuit Judges.

PER CURIAM:\*

Appellant Donna Toerper appeals from the district court's order dismissing her 42 U.S.C. § 1983 action as frivolous under 28 U.S.C. § 1915(d). Toerper contends that the district court erred in finding that the allegations of her complaint were duplicative of a complaint she filed earlier in 1995, which was dismissed by this court on appeal for failure to prosecute. We have reviewed the record, the magistrate judge's findings, and

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Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

the district court's order and find no abuse of discretion. Accordingly, we affirm for essentially the reasons stated by the magistrate judge and adopted by the district court. Toerper v. Trotter, No. 3:95-CV-2356-G (N.D. Tex. October 26, 1995).

AFFIRMED.