

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-31466
Summary Calendar

MARGARET ANN MYERS,

Plaintiff-Appellant,

versus

CITY OF WEST MONROE ET AL.,

Defendants,

CITY OF WEST MONROE; SHERMAN CALHOUN, Individually and in his
official capacity as a police officer for West Monroe;
JIM WAINWRIGHT; ERNEST MCHENRY,

Defendants-Appellees.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 96-CV-1181

June 8, 2001

Before SMITH, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

Margaret Ann Myers appeals the district court's award of \$19,069.70 in attorney's fees to the defendants pursuant to 42 U.S.C. § 1988(b). Myers argues that the district court erred in awarding fees to the defendants because they did not itemize by the hour those fees related to the frivolous claims. She further argues that if fees must be awarded, they should be apportioned

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

pursuant to Nash v. Chandler, 848 F.2d 567 (1988) and therefore based only on the extent to which the frivolous claims increased the costs of litigation.

We review the district court's award of attorney's fees for abuse of discretion and its supporting factual findings for clear error. Foreman v. Dallas County, Texas, 193 F.3d 314, 318 (5th Cir. 1999), cert. denied, 529 U.S. 1067 (2000). We review de novo the conclusions of law underlying the award. Id.

Myers's argument that the defendants are not entitled to attorney's fees because they did not properly itemize their fees is meritless. We further hold that our decision in Nash did not mandate a result different from that reached by the district court. The district court did not abuse its discretion in fashioning the fee award, and, therefore, its judgment is AFFIRMED.