

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-40897
Summary Calendar

GUY L ALLEN

Plaintiff - Appellant

v.

CINDY WEEMS, Justice of Peace; WOOD COUNTY, Commissioners;
CITY OF WINNSBORO; CHIEF OF POLICE, City of Winnsboro; CITY
ATTORNEY, City of Winnsboro

Defendants - Appellees

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 6:02-CV-56

November 11, 2002

Before KING, Chief Judge, and WIENER and CLEMENT, Circuit Judges.

PER CURIAM:*

Guy L. Allen, Texas prisoner # 642038, appeals from the district court's dismissal with prejudice of his civil-rights lawsuit, filed pursuant to 42 U.S.C. § 1983, as frivolous under 28 U.S.C. § 1915A(b). This court reviews this dismissal for an abuse of discretion. See Berry v. Brady, 192 F.3d 504, 506 (5th Cir. 1999).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

The basis for Allen's instant lawsuit is his contention that references to his conviction for sexual assault erroneously list TEX. PENAL CODE ANN. § 22.011 as the statute under which he was convicted. Examination of the record shows that Allen's claim lacks an arguable basis in law. Accordingly, the district court properly dismissed Allen's lawsuit as frivolous under 28 U.S.C. § 1915A(b)(1). See Berry, 192 F.3d at 506. The district court's judgment is AFFIRMED.