

January 6, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-30423
Summary Calendar

PATRICIA EVANS; ET AL,

Plaintiffs,

PATRICIA EVANS; AUTHURINE BRISBON

Plaintiffs-Appellants,

versus

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; ET AL,

Defendants,

HOUSING AUTHORITY OF NEW ORLEANS; CARMEN F. VALENTI, Housing
Authority of New Orleans Board of Commissioners; CATHERINE D.
LAMBERG, Administrative Receiver; CYNTHIA WIGGINS, Resident
Advisor to the Board,

Defendants-Appellees.

Appeals from the United States District Court
for the Eastern District of Louisiana
USDC No.03-CV-2411

Before DAVIS, SMITH and DENNIS, Circuit Judges.

PER CURIAM:*

Proceeding pro se, plaintiffs Patricia Evans and Authurine
Brison appeal the district court's dismissal of their claim against

* 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this opinion should not be published and is not precedent except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 Housing Authority of New Orleans ("HANO"), and HANO employees Mr. Carmen F. Valenti, Ms. Catherine Lamberg, and Ms. Cynthia Wiggins. Plaintiffs allege that defendants violated their constitutional rights by building and operating their subsidized housing on a waste site, thus creating horrible living conditions, and "retaliating" against plaintiffs. Although plaintiffs' original complaint did not cite 42 U.S.C. § 1983, the district court construed their pro se complaint liberally and found that their allegations might be construed as being brought under § 1983.

The district court gave plaintiffs the opportunity to amend their complaint against Mr. Carmen F. Valenti, Ms. Catherine Lamberg and Ms. Cynthia Wiggins, all employees of the Housing Authority of New Orleans, to plead facts sufficient to overcome their defense of qualified immunity. See *Schultea v. Wood*, 47 F.3d 1427 (5th Cir. 1995). After considering all of plaintiffs' subsequent filings the district court found that plaintiffs had not pleaded facts sufficient to make out such a claim, or any other federal claim, and dismissed their claims with prejudice.

Upon a review of the record we find that plaintiffs have not alleged facts sufficient to establish any federal cause of action and the district court therefore properly dismissed their claims.

The judgment of the district court is AFFIRMED.