

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 92-5185  
Conference Calendar

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CECIL LLOYD ALLEN,

Plaintiff-Appellant,

versus

JOHN DOE, Etc., Et Al.,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 9:92-CV-149

- - - - -  
March 16, 1993

Before KING, HIGGINBOTHAM, and DAVIS, Circuit Judges.

PER CURIAM:\*

Cecil Lloyd Allen appeals the dismissal of his civil rights complaint pursuant to 28 U.S.C. § 1915(d). This Court reviews the dismissal of an IFP complaint under § 1915(d) for abuse of discretion. Denton v. Hernandez, \_\_\_ U.S. \_\_\_, 112 S.Ct. 1728, 1734, 118 L.Ed.2d 340 (1992). An IFP complaint may be dismissed under § 1915(d) as frivolous if it lacks an arguable basis in either law or fact. Neitzke v. Williams, 490 U.S. 319, 325, 109 S.Ct. 1827, 104 L.Ed.2d 338 (1989).

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\* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

Prisoners have a constitutional right to "adequate, effective, and meaningful" access to the courts. Bounds v. Smith, 430 U.S. 817, 822, 97 S.Ct. 1491, 52 L.Ed.2d 72 (1977). "A denial-of-access-to-the-courts claim is not valid if a litigant's [legal] position is not prejudiced by the alleged violation." Henthorn v. Swinson, 955 F.2d 351, 354 (5th Cir.), cert. denied, 112 S.Ct. 2974 (1992).

In his present complaint, Allen confuses the dismissal of his first civil rights complaint with denial of access to the courts. His complaint failed to show that the defendants' actions ever prevented him from filing a grievance claim or suit. Because he failed to show that the defendants' actions prejudiced his legal position, Allen's complaint lacked a basis in law and the district court's § 1915(d) dismissal was not an abuse of discretion.

The judgment is AFFIRMED.