

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 92-8307
Conference Calendar

NETWORK PROPERTIES,

Plaintiff-Appellee,

versus

JULIUS DREW, SR., ET AL.,

Defendants,

JULIUS DREW, SR.,

Defendant-Appellant.

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Appeal from the United States District Court
for the Western District of Texas
USDC No. A-92-CV-312
- - - - -

March 19, 1993

Before KING, DAVIS, and SMITH, Circuit Judges.

PER CURIAM:*

Julius Drew, Sr. appeals the remand of his case to state court. To remove a case under 28 U.S.C. § 1443(1), "it must appear that the right allegedly denied the removal petitioner arises under a federal law `providing for specific civil rights stated in terms of racial equality.'" Johnson v. Mississippi, 421 U.S. 213, 219, 95 S.Ct. 1591, 44 L.Ed.2d 121 (1975). Drew

* 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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

alleges in conclusional fashion that the justice of the peace denied his rights to due process and equal protection. He alleges no facts that would give rise to any inference of such constitutional violations. The district court thus properly remanded his case to state court. See Robertson v. Ball, 534 F.2d 63, 66, n.5 (5th Cir. 1976)(appellate court may review remand of cases purportedly removed under 28 U.S.C. § 1443).

APPEAL DISMISSED. See 5th Cir. R. 42.2.