

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 92-8662

---

YOLANDA GOMEZ, ET AL.,

Plaintiffs-Appellants,

versus

THE HOUSING AUTHORITY FOR  
THE CITY OF EL PASO, ET AL.,

Defendants-Appellees.

---

Appeal from the United States District Court  
for the Western District of Texas  
(91-CA-30(S))

---

(April 4, 1994)

Before KING and WIENER, Circuit Judges, and DOHERTY, District  
Judge.\*

PER CURIAM:\*\*

Plaintiffs-Appellants Yolanda and Manuel Gomez, Gerardo and  
Isabel Velasquez, and Maria Valadez-Gonzalez appeal the district

---

\*District Judge for the Western District of Louisiana,  
sitting by designation.

\*\*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that this opinion should not be published.

court's judgment with respect to their 42 U.S.C. § 1983 claim premised on a violation of procedural due process.

We have carefully considered the facts and legal arguments advanced by counsel in their briefs to this court and in their oral arguments to this panel, and have reviewed the record from the district court. Although there is evidence that housing officials' treatment of the plaintiffs was, to varying degrees, negligent or even abusive, in no instance did such mistreatment rise to the level of a constitutional tort cognizable under § 1983. We, therefore, affirm the district court's judgment.

We do, however, express our disappointment with the apparent indifference exhibited towards housing applicants by housing officials; had established grievance procedures been in place and applicants been properly apprised thereof, the plaintiffs' complaints could have been resolved without resort to needless litigation. We suggest, therefore, that the Housing Authority adopt and implement better grievance procedures and written promulgation thereof so as to improve communication between applicants and Housing Authority functionaries, minimize friction, adjust attitudes, and avoid litigation to the extent possible.

AFFIRMED.