

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 93-1731

Summary Calendar

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MICHAEL CARVER FLOWERS,

Plaintiff-Appellant,

versus

HUNT COUNTY, TEXAS, ET AL.,  
Criminal Justice Center,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Northern District of Texas  
(3:93 CV 1020 X)

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( October 27, 1993 )

Before HIGGINBOTHAM, DUHÉ and BARKSDALE, Circuit Judges.

PER CURIAM:\*

Michael Carver Flowers, a Texas prisoner, filed this action under 42 U.S.C. § 1983 against the Hunt County Criminal Justice Center, the chief jailer, and the jail administrator.

Flowers alleged that (1) he slipped and fell on a wet floor; (2) jail administrators did not provide enough food; (3) the jail had no law library; (4) the jail had no grievance procedure; (5)

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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

jail officials did not respond to medical complaints; (6) jail officials turned off the phone and television for two weeks; (7) the jail had too many inmates; (8) "letters to jail administrator are refused visites [sic];" and (9) he received a bill from a hospital.

A magistrate determined that these claims had no arguable basis in fact or law and had no realistic chance for success. The district court adopted this determination and dismissed the case. Reviewing the district court for abuse of discretion, we affirm.

Flowers sued Hunt County, but alleged no basis for liability under Section 1983. A county cannot be liable for civil rights violations caused by its employees. Monell v. Department of Social Serv., 436 U.S. 658 (1978). Instead, a plaintiff must challenge a formally declared policy or a widely accepted custom to sue a county under Section 1983. Id. Flowers has not articulated any policy or custom that led to a deprivation of his constitutional rights.

In addition, Flowers sued the chief jailer and jail administrator, not based on their personal involvement in causing a deprivation of civil rights, but based on their status as prison officials. Under Section 1983, however, a plaintiff cannot allege respondeat superior liability. Bigford v. Taylor, 834 F.2d 1213, 1220 (5th Cir. 1988). Of course, Flowers could sue these individuals for personal involvement in any of the alleged deprivations, but he has not alleged sufficient facts to support such a claim.

AFFIRMED.