

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 93-3848
Conference Calendar

CURTIS BROUSSARD, ET AL.,

Plaintiffs-Appellants,

versus

C.M. LENSING, ET AL.,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. CA-93-367-A-MI
- - - - -

(May 17, 1994)

Before HIGGINBOTHAM, BARKSDALE and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

Curtis Broussard, Donal Lee, Carlos Rubio, and Douglas Naquin, all prisoners confined at the Hunt Correctional Center in St. Gabriel, Louisiana, filed a civil rights action against eight wardens and other prison officials alleging multiple claims relating to conditions of their confinement.

The district court dismissed their complaint with prejudice as frivolous because it failed to plead specific facts alleging a cognizable constitutional violation.

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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

Prior to service, an IFP complaint ordinarily may be dismissed only under 28 U.S.C. § 1915(d) as frivolous. Holloway v. Gunnell, 685 F.2d 150, 152 (5th Cir. 1982). A § 1983 action that is dismissed under § 1915(d) is reviewed for abuse of discretion. Ancar v. Sara Plasma, Inc., 964 F.2d 465, 468 (5th Cir. 1992).

Prisoner pro se § 1983 pleadings are construed liberally. Wesson v. Oglesby, 910 F.2d 278, 279 (5th Cir. 1990). Even a liberally construed pro se civil rights complaint, however, must set forth facts giving rise to a claim on which relief may be granted. Levitt v. University of Texas at El Paso, 847 F.2d 221, 224 (5th Cir.), cert. denied, 488 U.S. 984 (1988).

A complaint is frivolous if "it lacks an arguable basis either in law or in fact." Parker v. Fort Worth Police Dep't, 980 F.2d 1023, 1024 (5th Cir. 1993) (quoting Denton v. Hernandez, ___U.S.___, 112 S.Ct. 1728, 1733-34, 118 L.Ed.2d 340 (1992)). The Court is authorized by the IFP statute "to pierce the veil of the complaint's factual allegations if they are clearly baseless." Ancar, 964 F.2d at 468.

The brief of the appellants amounts to a manifesto of what they believe their rights to be, and offers no examples of particular violations that they as individuals or a group experienced or specific actions taken by the defendants that violated any of their rights. Claimants in 42 U.S.C. § 1983 are required to state specific facts and not mere conclusory allegations. Brinkmann v. Johnston, 793 F.2d 111, 113 (5th Cir. 1986). There is no indication in the record, nor do the

appellants provide support for their assertion that the magistrate judge relied upon his personal views or was biased in his treatment of their case. Because the appellants stated no specific facts and provided only conclusory allegations, IT IS ORDERED that their appeal is DISMISSED.