

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 93-4122  
Conference Calendar

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DAVID VINCENT SIBLEY,

Plaintiff-Appellant,

versus

NATCHITOCHEs CITY POLICE and,  
CITY OF PINE PRAIRIE,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 92-CV-1629

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June 23, 1993

Before POLITZ, Chief Judge, WIENER, and DeMOSS, Circuit Judges.

PER CURIAM:\*

David Vincent Sibley argues that the district court erred when it dismissed his complaint alleging violations under 42 U.S.C. § 1981 and § 1983.

In Monell v. Department of Social Services of New York, 436 U.S. 658, 56 L.Ed.2d 611, 98 S.Ct. 2018 (1976), cited by Sibley, the Supreme Court held that a municipality may be liable under 42 U.S.C. § 1983 only if official policy or governmental custom caused the deprivation of constitutional rights. See id. at 690-

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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

94. Governmental entities cannot be held liable for § 1983 damages on a theory of respondeat superior or any other type of vicarious liability. Id. at 690-95. Nor are governmental entities subject to damages for racial discrimination under 42 U.S.C. § 1981 on a theory of vicarious liability. Johnson v. Chapel Hill Indep. School Dist., 853 F.2d 375, 381 (5th Cir. 1988).

Sibley's complaint, following a traffic citation for exceeding the speed limit, included conclusional allegations of false imprisonment, physical and mental injuries, and an unspecified charge of racial discrimination. The complaint, even liberally construed, did not allege that the defendants had a policy that caused his alleged constitutional deprivations, nor has Sibley provided any other basis for imposing liability under § 1981 or § 1983. Sibley has failed to state a claim upon which federal law provides relief. See Fed. R. Civ. P. 12(b)(6).

The district court's judgment is AFFIRMED.