

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 93-7610  
Summary Calendar  
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SYLVIA STAMPS,

Plaintiff-Appellant,

versus

POINT ISABEL INDEPENDENT  
SCHOOL DISTRICT, ET AL.,

Defendants-Appellees.

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Appeal from the United States District Court for the  
Southern District of Texas  
(91-CV-55)

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(March 24, 1994)

Before GARWOOD, SMITH and DeMOSS, Circuit Judges.\*

PER CURIAM:

Plaintiff-appellant Sylvia Stamps (Stamps) appeals the summary judgment dismissing her claims against defendants-appellees Point Isabel Independent School District (the School District) and others. Stamps' suit complains of the termination of her clerical

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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

job with the School District. On appeal, Stamps asserts that summary judgment was improper as to her 42 U.S.C. § 1983 claims that she was deprived of property and liberty interests without due process of law and as to her claims under Vernon's Ann. Tex. Civ. Stats. art. 8307c § 1 that she was discharged in retaliation for filing a worker's compensation claim.

We agree with the magistrate judge, essentially for the reasons stated by him, that, as a clerical and probationary employee who was employed entirely on an "at will" basis and at the end of her probationary period (as extended) was not retained, Stamps as a matter of law had no property interest in her continued employment; as to her liberty interest claim, this also fails because, among other things, as the magistrate judge correctly observed, there is no summary judgment evidence from which a jury could find that any of the defendants made public any stigmatizing allegations concerning Stamps. As to the article 8307c § 1 claim, the magistrate judge correctly noted that there is no evidence from which a jury could find that Stamps' workers' compensation claim played any part in her being let go at the end of her extended probationary period. These are all matters as to which Stamps would have had the burden of proof at trial.

Accordingly, the judgment below is

AFFIRMED.