

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 93-9019
Conference Calendar

NINA JONELL HENDERSON,

Plaintiff-Appellant,

versus

STEPHEN WARREN ET AL.,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 5:93-CV-265-C
- - - - -

(May 18, 1994)

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

PER CURIAM:*

A complaint filed in forma pauperis may be dismissed as frivolous if it lacks an arguable basis in fact or law. A § 1915(d) dismissal is reviewed for abuse of discretion. Ancar v. Sara Plasma, Inc., 964 F.2d 465, 468 (5th Cir. 1992).

Although allegations of slander alone are insufficient to establish § 1983 liability, an action will lie under § 1983 if the claimant establishes that he suffered a stigma due to a state actor's false communication of wrongdoing by the claimant and that the stigma infringed a constitutionally protected liberty

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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

interest. Geter v. Fortenberry, 849 F.2d 1550, 1556 (5th Cir. 1988); San Jacinto Sav. & Loan v. Kacal, 928 F.2d 697, 701-02 (5th Cir. 1991); see also Phillips v. Vandygriff, 711 F.2d 1217, 1221 (5th Cir. 1983), cert. denied, 469 U.S. 821 (1984). The sole allegation of any "stigma plus" is that the defendants' motivation was to deprive Henderson of a fair trial. There is no allegation that any such loss in fact occurred.

AFFIRMED.