

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-10014
Summary Calendar

HOWARD R. WATSON,

Plaintiff-Appellant,

versus

CITY OF DALLAS TEXAS,

Defendant-Appellee.

Appeal from the United States District Court
for the Northern District of Texas
(3:94 CV 320 T)

August 25, 1995

Before JONES, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:*

The judgment of the district court is affirmed for the following reasons:

1. Watson has failed to allege facts indicating that any policy-making official for the City of Dallas implemented an official policy that resulted in the alleged constitutional injury; further, he has failed to establish the existence of a persistent, widespread practice of city officials or employees, which is so

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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

common and well settled as to constitute a custom that fairly represents city policy.

2. The City of Dallas is immune from Watson's state law claims of assault, defamation, false arrest, and intentional infliction of emotional distress.¹

AFFIRMED.

¹ We do not address Watson's claim that the district court should have allowed him to amend his complaint because it is raised for the first time on appeal.