

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-40453
Conference Calendar

SAMUEL KAY SHANNON,

Plaintiff-Appellant,

versus

LELAND HEUSZEL,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 9:94-CV-188
- - - - -

August 23, 1995

Before KING, JOLLY, and WIENER, Circuit Judges.

PER CURIAM:*

A complaint filed in forma pauperis may be dismissed as frivolous pursuant to § 1915(d) if it has no arguable basis in law or in fact. Booker v. Koonce, 2 F.3d 114, 115 (5th Cir. 1993). This court reviews a § 1915(d) dismissal for an abuse of discretion. Id.

Shannon has not shown how defendant Heuszel was personally involved in any alleged constitutional deprivation or how any

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 Pursuant to that Rule, the court has determined that this opinion should not be published.

policy was involved. See Thompson v. Steele, 709 F.2d 381, 382 (5th Cir.), cert. denied, 464 U.S. 897 (1983); Thompkins v. Belt, 828 F.2d 298, 304 (5th Cir. 1987). The district court thus did not abuse its discretion by overruling Shannon's objections to the magistrate judge's report and dismissing Shannon's § 1983 claim as frivolous pursuant to § 1915(d).

Finally, Shannon requests the appointment of counsel. The case is not so exceptional that appointing counsel would be appropriate. See Ulmer v. Chancellor, 691 F.2d 209, 212 (5th Cir. 1982).

AFFIRMED.