

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-60544
Conference Calendar

CHRISTOPHER CARBIN,

Plaintiff-Appellant,

versus

UNITED STATES NAVY ET AL.

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Northern District of Mississippi
USDC No. 1:94CV60-S-D
- - - - -

(October 19, 1995)

Before POLITZ, Chief Judge, and REAVLEY and SMITH, Circuit Judges.

PER CURIAM:*

Christopher Carbin appeals the district court's dismissal of his \$20 million suit against the Board for Corrections of Military Records and other defendants. The Board is immune from suit for monetary damages. See Gochmour v. Marsh, 754 F.2d 1137, 1138 (5th Cir.), cert. denied, 471 U.S. 1057 (1985). Carbin has not alleged any involvement by any of the other named defendants. The defendants cannot be liable without some personal involvement

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 Pursuant to that Rule, the court has determined that this opinion should not be published.

or their implementation of a constitutionally deficient policy. Thompkins v. Belt, 828 F.2d 298, 303-04 (5th Cir. 1987).

To the extent that Carbin's request for mandamus to speed the proceedings may be construed as a request for injunctive relief, that claim was properly dismissed as the Board had ruled during the pendency of the suit, rendering the issue moot.

The appeal is without arguable merit and is thus frivolous. Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983). Because the appeal is frivolous, it is DISMISSED. See 5TH CIR. R. 42.2.