

United States Court of Appeals for the Fifth Circuit

No. 24-50967
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

June 11, 2025

Lyle W. Cayce
Clerk

DOLORIS LYNN GARCIA,

Plaintiff—Appellant,

versus

DAVID GRAY; HOLLY MANAHAN; LESLIE DUNN,

Defendants—Appellees.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 1:24-CV-1049

Before JOLLY, GRAVES, and OLDHAM, *Circuit Judges*.

PER CURIAM:*

Plaintiff-appellant, Dolores Lynn Garcia, proceeding *pro se* and *in forma pauperis*, filed a 42 U.S.C. § 1983 lawsuit against three of her former co-workers after she was terminated from her job as a school bus driver. Specifically, she asserted that her Fourth, Eighth, Ninth, and Fourteenth Amendment rights had been violated. After finding that Garcia failed to

* This opinion is not designated for publication. See 5TH CIR. R. 47.5.bahu

No. 24-50967

plead adequately any constitutional violations, the district court *sua sponte* dismissed her complaint under 28 U.S.C. § 1915(e)(2)(B).¹

Garcia now appeals the district court's dismissal, arguing that her constitutional rights were, in fact, violated; that her complaint was dismissed in violation of her Seventh Amendment right to a jury trial; and that the district court was biased. Finding no error in the district court's analysis and no merit in Garcia's arguments, we AFFIRM.

¹ This provision empowers a district court to *sua sponte* dismiss an IFP case if it is (1) "frivolous or malicious," (2) "fails to state a claim on which relief may be granted," or (3) "seeks monetary relief against a defendant who is immune from such relief." 28 U.S.C. § 1915(e)(2)(B).