

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

May 22, 2013

Lyle W. Cayce
Clerk

No. 12-31252
Summary Calendar

MARIE MARCELL REED,

Plaintiff–Appellant,

versus

MIKE EDWARDS, Officer of the Baton Rouge Department,

Defendant–Appellee.

Appeal from the United States District Court
for the Middle District of Louisiana
No. 3:12-CV-558

Before SMITH, PRADO, and HIGGINSON, Circuit Judges.

PER CURIAM:*

Marie Reed sued numerous defendants, alleging state and federal claims generally based on a notion of false arrest and false imprisonment. Her com-

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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plaint was dismissed, and we affirmed, agreeing with the district court that the claims were prescribed and that she should not be allowed to amend. *See Reed v. Edwards*, 487 F. App'x 904 (5th Cir. 2012) (per curiam). Two weeks later, Reed sued again, making the same claims and more.

In a comprehensive report, the magistrate judge recommended the claims be barred by res judicata, finding that the new complaint “is both frivolous and malicious.” As for claims made against additional defendants, the magistrate judge explained that the assertions were also frivolous and that “none of the plaintiff’s complaints . . . contain any factual allegations which could even arguably support a federal claim.” The district court approved the report and dismissed the complaint.

Essentially for the reasons capably stated by the magistrate judge, there is no merit to the second suit, and this appeal is frivolous. Accordingly, it is DISMISSED. *See* 5TH CIR. R. 42.2. Reed’s motion to vacate the judgment is DENIED.