

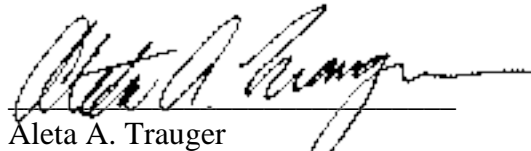


Lucas, 713 F.2d 143, 147 (5th Cir.1983); Clark v. Turner, 1996 WL 721798 at 2 (6<sup>th</sup> Cir.; 12/13/96).

The Supreme Court has held that defamation is not a constitutional tort and does not state a cognizable claim under 42 U.S.C. § 1983. Paul v. Davis, 424 U.S. 693 (1976). The plaintiff does not allege that he sustained any physical injury as a consequence of the defendants' disparaging remarks. Thus, while the defendants' remarks were unprofessional and even reprehensible, the alleged slander of the plaintiff by the defendants fails to offend the Constitution.

Because the allegations in the complaint do not rise to the level of a constitutional deprivation, the plaintiff is unable to prove every element of a § 1983 cause of action. The plaintiff, therefore, has failed to state a claim upon which relief can be granted. Under such circumstances, the Court is obliged to dismiss the instant action *sua sponte*. 28 U.S.C. § 1915(e)(2).

An appropriate order will be entered.



Aleta A. Trauger  
United States District Judge