

October 3, 2006

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 06-30142  
Summary Calendar

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WILLIE ALLEN,

Plaintiff-Appellant,

versus

RICHARD L. STALDER; O. KENT ANDREWS; CARLEEN VIDRINE;  
CHAPLAIN BOSTICK,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 2:05-CV-834  
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Before DeMOSS, STEWART and PRADO, Circuit Judges.

PER CURIAM:\*

Willie Allen, Louisiana prisoner #73041, appeals from the dismissal of his 42 U.S.C. § 1983 action as frivolous and for failure to state a claim. Allen sought compensatory and punitive damages in the district court for his alleged exclusion from the call-out list for Muslim services.

A prisoner may not maintain a First Amendment action for compensatory damages absent any physical injury, pursuant to 42 U.S.C. § 1997e(e)'s physical injury requirement. Geiger v.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Jowers, 404 F.3d 371, 374-75 (5th Cir. 2005). Nor has Allen shown the "evil intent" or "callous indifference" required to obtain punitive damages. See Williams v. Kaufman County, 352 F.3d 994, 1015 (5th Cir. 2003).

AFFIRMED.