

June 21, 2006

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 05-30038  
Conference Calendar

---

VALERIE S. GAMBINO,

Plaintiff-Appellant,

versus

ORLEANS PARISH CRIMINAL SHERIFF'S OFFICE;  
CHARLES C. FOTI, JR., Sheriff; DIANA C. RUDDER,  
Deputy Orleans Parish Criminal Sheriff;  
D. BEVERLY, Orleans Parish Criminal Sheriff's  
Office, Civilian Employee,

Defendants-Appellees.

-----  
Appeal from the United States District Court  
for the Eastern District of Louisiana  
USDC No. 2:02-CV-3635  
-----

Before STEWART, DENNIS, and OWEN, Circuit Judges.

PER CURIAM:\*

Valerie S. Gambino appeals pro se from the dismissal of all defendants after a bench trial in this civil rights suit. She argues on appeal that her trial counsel rendered ineffective assistance in the prosecution of the suit. This argument is without merit because the constitutional right to effective

---

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

assistance of counsel does not apply in a civil context. Sanchez v. U.S. Postal Serv., 785 F.2d 1236, 1237 (5th Cir. 1986).

Gambino also asserts conclusionally that the theory of res ipsa loquitur should apply to her case. This issue is inadequately briefed and not considered. See Yohey v. Collins, 985 F.2d 222, 224-25 (5th Cir. 1993); FED. R. APP. P. 28(a)(9). This appeal is without arguable merit and is dismissed as frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983); 5TH CIR. R. 42.2.

APPEAL DISMISSED.