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United States Court of Appeals For the First Circuit

No. 04-1463

BABOUCAR B. TAAL; GUYLAINE L. TAAL,

Plaintiffs, Appellants,

v.

PATRICIA ZWIRNER, ET AL.,

Defendants, Appellees.

APPEAL FROM THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW HAMPSHIRE

[Hon. Steven J. McAuliffe, U.S. District Judge]

Before

Torruella, Circuit Judge,
Campbell, Senior Circuit Judge,
and Selya, Circuit Judge.

Baboucar B. Taal and Guyllaine L. Taal on brief pro se.
Fred J. Desmarais, Debra L. Mayotte and Desmarais, Ewing & Johnston, PLLC on brief for appellees Patricia Zwirner and Douglas Zwirner.

Christopher J. Pyles and Wiggin & Nourie, P.A. on brief for appellee Kim Lacey.

Russell F. Hilliard and Upton & Hatfield, LLP on brief for appellee State Farm Mutual Automobile Insurance Company.

January 11, 2005

Per Curiam. After carefully considering the record and briefs on appeal, we affirm for substantially the reasons stated by the district court.

At summary judgment, the appellants failed to produce any evidence that would tend to show a genuine dispute of material fact concerning any claim. That is a fatal defect. Griggs-Ryan v. Smith, 904 F.2d 112, 115 (1st Cir. 1990).

We would add that among other problems, their claims against Douglas Zwirner were properly dismissed on the ground of res judicata. In re Colonial Mortgage Bankers Corp., 324 F.3d 12, 15 (1st Cir. 2003). Their claims against others arising from alleged perjury were properly dismissed on the ground of immunity. Stoutt v. Banco Popular de Puerto Rico, 320 F.3d 26, 33 (1st Cir. 2003). And they offered no evidence that any defendant conspired to hinder or abridge protected rights. Santiago v. Canon U.S.A., Inc., 138 F.3d 1, 6 (1st Cir. 1998); Cadle Co. v. Hayes, 116 F.3d 957, 960 (1st Cir. 1997); Libertad v. Welch, 53 F.3d 428 (1st Cir. 1995).

Affirmed. 1st Cir. Rule 27(c).