

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-50876
Conference Calendar

JOSEPH JOHN JACKSON,

Petitioner-Appellant,

versus

COURT OF CRIMINAL APPEALS,

Respondent-Appellee.

Appeal from the United States District Court
for the Western District of Texas
USDC No. A-00-CV-538-JN

April 10, 2001

Before JOLLY, HIGGINBOTHAM, and JONES, Circuit Judges.

PER CURIAM:*

Joseph John Jackson, *pro se* Texas prisoner # 569276, appeals the district court's dismissal of his petition for writ of mandamus, by which Jackson sought an order directing the Texas Court of Criminal Appeals to enforce its own order granting Jackson credit for time served. The district court's determination that it had no authority to issue a writ of mandamus was correct. See Moyer v. Clerk, DeKalb County Superior Court, 474 F.2d 1275, 1276 (5th Cir. 1973). Jackson's appeal presents no issue of arguable merit and is, therefore, dismissed as frivolous. See 5TH CIR. R. 42.2.

DISMISSED AS FRIVOLOUS.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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