

July 20, 2004

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-30045
Summary Calendar

ABDUL JALEEL WAHAB, also known as Abdool Jaleel Wahab,

Petitioner-Appellant,

versus

UNITED STATES OF AMERICA,

Respondent-Appellee.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 2:03-CV-1213

Before DUHÉ, DeMOSS, and PICKERING, Circuit Judges.

PER CURIAM:¹

Abdul Jaleel Wahab, federal prisoner # 43052-004, appeals the district court's dismissal of his quo warranto action for lack of standing. Wahab argues that he did not consent to the magistrate judge's exercise of jurisdiction in his 28 U.S.C. § 2241 proceeding and that, as a matter of public interest, he has a right to inquire the basis for the magistrate judge's exercise of authority.

¹ 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

Wahab's arguments are insufficient to establish standing to bring a quo warranto action. See Lujan v. Defenders of Wildlife, 504 U.S. 555, 560-61 (1992). Because this appeal lacks arguable merit, it is dismissed as frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983); 5TH CIR. R. 42.2.

APPEAL DISMISSED.