

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

February 20, 2008

No. 07-60158
Conference Calendar

Charles R. Fulbruge III
Clerk

JAMES T REED

Plaintiff-Appellant

v.

CAROL SWILLEY, In Her Individual and Official Capacity; KAREN ROWZEE,
In Her Individual and Official Capacity; SARAH RATCLIFF, In Her Individual
and Official Capacity

Defendants-Appellees

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 3:06-CV-296

Before KING, WIENER, and ELROD, Circuit Judges.

PER CURIAM:*

James T. Reed, Mississippi prisoner # 08798, appeals the district court's dismissal with prejudice of his 42 U.S.C. § 1983 complaint for lack of jurisdiction. In his complaint, Reed sought the production of documents related to the grand jury proceedings which led to his indictment, conviction, and subsequent life sentence for armed robbery.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Because Reed essentially sought federal district court review of the Mississippi state court's denial of his petition for writ of mandamus, the district court did not err in dismissing the complaint for lack of jurisdiction under the Rooker/Feldman¹ doctrine. See *Exxon Mobil Corp. v. Saudi Basic Indus. Corp.*, 544 U.S. 280, 284 (2005); *Liedtke v. State Bar of Tex.*, 18 F.3d 315, 317 (5th Cir. 1994).

This appeal is without arguable merit and is therefore dismissed as frivolous. See *Howard v. King*, 707 F.2d 215, 219-20 (5th Cir. 1983); 5TH CIR. R. 42.2. This dismissal of the instant appeal counts as a strike for purposes of 28 U.S.C. § 1915(g). See *Adepegba v. Hammons*, 103 F.3d 383, 387 (5th Cir. 1996). Reed is cautioned that if he accumulates three strikes, he will not be permitted to proceed in forma pauperis in any civil action or appeal filed while he is incarcerated or detained in any facility unless he is under imminent danger of serious physical injury. See § 1915(g).

APPEAL DISMISSED; SANCTION WARNING ISSUED.

¹ See *Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 415 (1923); *District of Columbia Court of Appeals v. Feldman*, 460 U.S. 462, 482 (1983).