

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-30743
Conference Calendar

DONNIE L. THOMAS,

Plaintiff-Appellant,

versus

DOUG WELBORN; 19TH JUDICIAL
DISTRICT COURT; STATE OF LOUISIANA,

Defendants-Appellees.

Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. 00-CV-114-B

December 13, 2000

Before DAVIS, STEWART, and PARKER, Circuit Judges.

PER CURIAM:*

Donnie L. Thomas, Louisiana prisoner # 106606, challenges the dismissal as frivolous or for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B), of his pro se, in forma pauperis lawsuit against Doug Welborn, the clerk of the 19th Judicial District Court in Baton Rouge, Louisiana. Thomas renews his argument that Welborn returned to him unfiled his state habeas application on four occasions and that, when the application was finally filed, Welborn misdirected it to the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

civil rather than the criminal docket, all in violation of state law and his constitutionally protected right of access to the courts.

Thomas' allegations of state-law violations are not cognizable under § 1983. See Johnson v. Dallas Indep. Sch. Dist., 38 F.3d 198, 200 (5th Cir. 1994); Levitt v. Univ. of Texas at El Paso, 759 F.2d 1224, 1230 (5th Cir. 1985). Thomas' denial-of-access claim fails because he has not demonstrated any actual injury resulting from Welborn's alleged conduct. See Chriceol v. Phillips, 169 F.3d 313, 317 (5th Cir. 1999)((citing Lewis v. Casey, 518 U.S. 343, 351-54 (1996)); Walker v. Navarro County Jail, 4 F.3d 410, 413 (5th Cir. 1993). Accordingly, the district court's judgment is AFFIRMED. Thomas' motion for leave to supplement the record is DENIED.

AFFIRMED; MOTION DENIED.