

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 02-60099  
Conference Calendar

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TONY L. BLAND,

Plaintiff-Appellant,

versus

(UNKNOWN) KNUTSON, DR.; (UNKNOWN)  
BEARRY, DR.; HENRY WADSWORTH, DR.,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Northern District of Mississippi  
USDC No. 4:01-CV-167-P-A  
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August 20, 2002

Before HIGGINBOTHAM, DAVIS, and PARKER, Circuit Judges.

PER CURIAM:\*

Tony L. Bland, Mississippi prisoner # 24431, has filed an application for leave to proceed *in forma pauperis* (IFP) on appeal, following the district court's dismissal as frivolous of his civil rights complaint. By moving for IFP, Bland is challenging the district court's certification that IFP status should not be granted on appeal because his appeal is not taken

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

in good faith. See Baugh v. Taylor, 117 F.3d 197, 202 (5th Cir. 1997).

The district court construed Bland's complaint as raising a challenge to the medical care he received in the Mississippi Department of Corrections and ordered that the case be dismissed on *res judicata* and collateral estoppel grounds, as Bland had raised the same claims in the state courts. Bland contends that he was actually attempting to appeal the Mississippi Supreme Court's failure to grant him IFP status on his appeal in the state courts and the subsequent dismissal of his appeal. Under the Rooker-Feldman doctrine, federal district courts lack jurisdiction to review state judgments. United States v. Shepherd, 23 F.3d 923, 924 (5th Cir. 1994); Liedtke v. State Bar of Texas, 18 F.3d 315, 317 (5th Cir. 1994). Bland's appeal is thus without arguable merit and is frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983).

Accordingly, we uphold the district court's order certifying that the appeal is not taken in good faith and denying Bland IFP status on appeal, we deny the motion for leave to proceed IFP, and we DISMISS Bland's appeal as frivolous. See Baugh, 117 F.3d at 202 n.24; 5TH CIR. R. 42.2.

APPEAL DISMISSED.