

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

June 13, 2022

Lyle W. Cayce
Clerk

No. 21-10564

THOMAS GEORGE CRAAYBEEK,

Plaintiff—Appellant,

versus

STEPHEN BRISTOW; 90TH DISTRICT COURT OF YOUNG
COUNTY,

Defendants—Appellees.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 7:20-CV-31

Before SMITH, OLDHAM, and WILSON, *Circuit Judges.*

PER CURIAM:*

Thomas George Craaybeek, Texas prisoner # 2034863, moves to appeal in forma pauperis (IFP) from the dismissal of his civil rights claim. The district court dismissed the action for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(ii) because the state court judge enjoyed absolute

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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judicial immunity, and the court itself was not a distinct jural entity that could be sued.

Because Craaybeek now asserts only that he is indigent, he does not address the district court's dismissal ruling and thus waives any challenge to that ruling. *See Yohey v. Collins*, 985 F.2d 222, 224–25 (5th Cir. 1993); *Brinkmann v. Dallas County Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987). Because Craaybeek identifies no nonfrivolous issue for appeal, his IFP motion is DENIED and the appeal is DISMISSED. *See McGarrah v. Alford*, 783 F.3d 584, 584 (5th Cir. 2015); 5TH CIR. R. 42.2. All other outstanding motions are also DENIED.

The district court's dismissal under § 1915(e) and this court's dismissal of the appeal count as strikes under § 1915(g). *See McGarrah*, 783 F.3d at 584–85. Craaybeek received another strike in the Northern District of Texas in 2021. Because Craaybeek now has three strikes, he is BARRED “from proceeding IFP 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.” *Id.*; § 1915(g).