

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 93-7397
Conference Calendar

DARIES F. MITCHELL,

Plaintiff-Appellant,

versus

LEE HOLCOMB and
PICAYUNE, MISSISSIPPI CITY
POLICE DEPARTMENT,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 1:92-CV-4
- - - - -
(March 25, 1994)

Before KING, DAVIS, and DeMOSS, Circuit Judges.

PER CURIAM:*

A plaintiff cannot file suit in federal court to relitigate an unfavorable state court ruling. Howell v. Supreme Court of Texas, 885 F.2d 308, 311-13 (5th Cir. 1989), cert. denied, 496 U.S. 936 (1990). Daries Mitchell's claims against former Picayune, Mississippi, Police Detective Lee Holcomb and the Picayune, Mississippi Police Department are barred by principles of res judicata. See Howell Hydrocarbons, Inc. v. Adams, 897

* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

F.2d 183, 188 (5th Cir. 1990); Nilsen v. City of Moss Point, Miss., 701 F.2d 556, 560 (5th Cir. 1983).

The Court declines to review Mitchell's allegations of a conspiracy, which were raised for the first time in his appellate reply brief. See N.L.R.B. v. Cal-Maine Farms, Inc., 998 F.2d 1336, 1342 (5th Cir. 1993). Mitchell's motion to submit newly discovered evidence relative to the conspiracy issue is therefore DENIED.

AFFIRMED.