

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 94-10160
Conference Calendar

THURMAN WAYNE ARMON,

Plaintiff-Appellant,

versus

MARILEE NEFF ET AL.,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:93-CV-2294-P
- - - - -
(July 19, 1994)

Before POLITZ, Chief Judge, and JOLLY and DAVIS, Circuit Judges.

PER CURIAM:*

Thurman Wayne Armon is dissatisfied with a decision by a grievance committee of the State Bar of Texas not to seek disciplinary action against an attorney against whom Armon had filed a grievance. Seeking damages for that decision, Armon, proceeding in forma pauperis (IFP), filed a civil rights action pursuant to 42 U.S.C. § 1983 against numerous parties. The questionnaire that the magistrate judge provided to Armon was properly used to flesh out the complaint. Spears v. McCotter,

* 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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

766 F.2d 179, 181 (5th Cir. 1985).

Armon attempts to use the guise of a § 1983 action to challenge a determination of the state bar disciplinary process. This he may not do. Cf. Howell v. Supreme Court of Texas, 885 F.2d 308, 311 (5th Cir. 1989) (plaintiff may not use § 1983 to challenge state court judgment), cert. denied, 496 U.S. 936 (1990); Hale v. Harney, 786 F.2d 688, 691 (5th Cir. 1986) (same).

The district court did not abuse its discretion in dismissing the action as frivolous. 28 U.S.C. § 1915(d); Booker v. Koonce, 2 F.3d 114, 115 (5th Cir. 1993). This appeal is frivolous and is dismissed. See Coghlan v. Starkey, 852 F.2d 806, 811 (5th Cir. 1988); 5th Cir. R. 42.2.

APPEAL DISMISSED.