UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. 94-41096
Summary Calendar

LEONARD R. CROOMS,

Plaintiff-Appellant,

versus

JAMES A. COLLINS, Director, Texas Department of Criminal Justice, Institutional Division, ET AL.,

Defendants-Appellees.

Appeal from the United States District Court
For the Eastern District of Texas
(6:93-CV-772)

(January 31, 1995)

Before POLITZ, Chief Judge, GARWOOD and PARKER, Circuit Judges.

PER CURIAM:[*]

Leonard R. Crooms, a Texas state inmate, appeals the 28 U.S.C. § 1915(d) dismissal of his civil rights action against the Texas Department of Criminal Justice. Concluding that the trial court correctly found an absence of standing, we affirm.

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 Pursuant to that Rule, the court has determined that this opinion should not be published.

Crooms complains about the inadequacy and adverse effects of the TDCJ field-labor and forfeiture-of-good-time policies. Crooms is not in the field-labor crew and he has not lost any good time credits. The record fails to demonstrate that the field-labor assigned inmates, or the inmates directly affected by the good time policy, are not available to initiate this action.[1]

As courts of limited jurisdiction, federal courts, at both the trial and appellate levels, must constantly inquire about the existence of jurisdiction. A federal court may exercise the judicial authority granted by Article III of the Constitution only if there is a cognizable case or controversy.[2] The Supreme Court has held that the party filing the action must have the standing to do so. To establish standing, the litigant must show:

> [1] that he personally has suffered some actual or threatened injury as a result of the putatively illegal conduct of the defendant . . . ;
>
> [2] that the injury "fairly can be traced to the challenged action"; and
>
> [3] [that the injury] "is likely to be redressed by a favorable decision."[3]

In addition, the Supreme Court has established three prudential considerations for determining the existence of standing, including

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[1]See **Singleton v. Wulff**, 428 U.S. 106 (1976).

[2]**Valley Forge Christian College v. Americans for Separation of Church and State**, 454 U.S. 464 (1982).

[3]**Cramer v. Skinner**, 931 F.2d 1020, 1024 (5th Cir. 1991) (quoting **Valley Forge**, 454 U.S. at 472, in turn quoting **Simon v. Eastern Kentucky Welfare Rights Org.**, 426 U.S. 26, 38, 41 (1976) (brackets in **Cramer**).

"whether the plaintiff is asserting his or her own legal rights and interests rather than the legal rights and interests of third parties."[4]

It is clear that Crooms does not have the requisite standing to bring the subject action. The federal courts, therefore, do not have jurisdiction to entertain this litigation and the trial court correctly dismissed the complaint under 28 U.S.C. § 1915(d).

The dismissal is AFFIRMED.

[4]**Cramer**, 931 F.2d at 1024, quoting **Saladin v. City of Milledgeville**, 812 F.2d 687, 690 (11th Cir. 1987) (citing **Allen v. Wright**, 468 U.S. 737, 751 (1984).