

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-20366
Conference Calendar

MICHAEL ANDERSON GILBERT,

Plaintiff-Appellant,

versus

J.E. GUNJA; LINDA MOTHERAL, Judge,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-96-CV-4002
- - - - -

June 16, 1999

Before EMILIO M. GARZA, BENAVIDES, and PARKER, Circuit Judges.

PER CURIAM:*

Michael Anderson Gilbert, federal prisoner # 52595-080, appeals the district court's dismissal of his civil rights action against J.E. Gunja, the warden of the Three Rivers Federal Correctional Institution, and Judge Linda Motheral of the 257th Judicial District Court of Harris County, Texas, filed pursuant to Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971). Gilbert argues that the district court erred in dismissing his claim against Judge Motheral for

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

lack of federal subject matter jurisdiction. Because Judge Motheral is absolutely immune from suit for her decision ordering Gilbert to pay child support, the district court did not err in dismissing Gilbert's claim against Judge Motheral. See Mays v. Sudderth, 97 F.3d 107, 110-11 (5th Cir. 1996). To the extent Gilbert sought review of Judge Motheral's decision ordering him to pay child support, the district court did not err in dismissing his claim for lack of subject matter jurisdiction. See District of Columbia Court of Appeals v. Feldman, 460 U.S. 462, 476, 482 (1983)(federal courts lack jurisdiction to review state court decisions); see also Rooker v. Fidelity Trust Co., 263 U.S. 413, 415 (1923); Liedtke v. State Bar of Texas, 18 F.3d 315, 317-18 (5th Cir. 1994).

Gilbert argues that the district court erred in holding that Gunja did not have an obligation to provide Texas law books to him to allow him to challenge the state court judgment ordering him to pay child support. The district court did not err in holding that Gilbert did not state a claim for denial of access to the courts because his right was limited to the right to challenge his conviction, sentence, or the conditions of his confinement. See Lewis v. Casey, 518 U.S. 343, 355 (1996). Gilbert's reliance on M.L.B. v. S.L.J., 519 U.S. 102 (1996) is misplaced as it did not involve a prisoner's claim for denial of access to the courts.

AFFIRMED.