

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

September 23, 2021

No. 20-50261
Summary Calendar

Lyle W. Cayce
Clerk

RONNY GENE SMITH,

Plaintiff—Appellant,

versus

BOBBY LUMPKIN, *Director, Texas Department of Criminal Justice, Correctional Institutions Division*; SHELLY STRIMPLE, *Assistant DA of Belton, TX*; STEPHANIE NEWELL, *Assistant DA of Belton, TX*; TAMMY BRACEWELL, *Investigator, Temple Police Department*; MONNA HERRING; DR. MARCUS HINKLE,

Defendants—Appellees.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 6:19-CV-636

Before JOLLY, WILLETT, and ENGELHARDT, *Circuit Judges.*

PER CURIAM:*

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

No. 20-50261

Ronny Gene Smith, Texas prisoner # 1722493, appeals the district court's dismissal of his "motion to dismiss indictment for prosecutorial misconduct outside the indictment process" filed after the district court dismissed his 42 U.S.C. § 1983 complaint. He raises various claims challenging the validity of a state court conviction and argues that he is entitled to federal habeas relief. He has also filed motions for appointment of counsel, default judgment, an injunction, and oral argument. Smith's motion is "an unauthorized motion which the district court was without jurisdiction to entertain. Thus, he has appealed from the denial of a meaningless, unauthorized motion." *United States v. Early*, 27 F.3d 140, 142 (5th Cir. 1994).

The judgment of the district court is AFFIRMED. Smith's motions are DENIED.