

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

September 9, 2026

Lyle W. Cayce  
Clerk

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No. 26-50161  
Summary Calendar

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MONTE ALBERT,

*Plaintiff—Appellant,*

*versus*

VELVA L. PRICE, *in her official capacity as Travis County District Clerk*;  
UNKNOWN CLERK STAFF 1-5,

*Defendants—Appellees.*

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 1:25-CV-1997

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Before JONES, HO, and WILSON, *Circuit Judges.*

PER CURIAM:\*

In December 2025, Monte Albert filed a complaint pursuant to 42 U.S.C. § 1983 alleging that the Travis County Clerk’s office violated his due process rights by obstructing his access to certain records. The same day, Albert filed motions to proceed in forma pauperis and to recuse the district judge assigned to his case, Judge Alan D. Albright. The district court denied

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\* This opinion is not designated for publication. See 5TH CIR. R. 47.5.

both motions. Albert then filed a second motion to proceed in forma pauperis, which the court also denied. The district court ultimately dismissed Albert's claims without prejudice for failure to pay the filing fee.

On appeal, Albert challenges the district court's denial of his second motion to proceed in forma pauperis, the denial of his recusal motion, and the dismissal of his case. Albert filed a motion in this court to proceed in forma pauperis, which was denied. *See Albert v. Price*, No. 26-50161 (5th Cir. Jun. 23, 2026) (order). After he unsuccessfully sought reconsideration of that ruling, Albert paid the appellate filing fee.

Albert followed with a series of motions, many of which reassert the issues he raises on appeal. He requests that this court (1) reimburse his appellate filing fee; (2) reassign the case to a different district judge; (3) review the district court's denial of his motion to proceed in forma pauperis; (4) review the district court's denial of his motion for recusal; and (5) remand the case to the district court. By separate order, we denied Albert's request for reimbursement of his appellate filing fee and his motion for reassignment to a different district judge and carried the remaining motions with the case. *See Albert v. Price*, No. 26-50161 (5th Cir. Aug. 17, 2026) (order).

We discern no reversible error in the district court's denial of Albert's second motion to proceed in forma pauperis or in its dismissal of his claims for failure to pay the filing fee. Albert's challenge to the denial of his motion to recuse is moot, because Judge Albright resigned from the bench at the end of August 2026. Any new claims Albert asserts would thus be assigned to a different judge, such that there is no effectual relief that could be granted by this court as to this claim.

Based on the foregoing, we AFFIRM IN PART and DISMISS IN PART AS MOOT. All pending motions are DENIED.