

United States Court of Appeals
Fifth Circuit

FILED

August 6, 2007

Charles R. Fulbruge III
Clerk

UNITED STATES COURT OF APPEALS
For the Fifth Circuit

No. 07-20031
Summary Calendar

CARL B. ADAMS,

Plaintiff - Appellant

VERSUS

COMPASS BANK,

Defendant - Appellee

Appeal from the United States District Court
For the Southern District of Texas, Houston
4:06-CV-2845

Before KING, HIGGINBOTHAM, and DAVIS, Circuit Judges.

PER CURIAM:*

After reviewing the record and the briefs of the parties, we affirm the district court judgment.

The district court did not abuse its discretion in refusing appellant's motion to recuse. A judicial ruling in an earlier case is not grounds for recusal.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

The district court also did not abuse its discretion in denying plaintiff's motion for default judgment.

The district court properly concluded that plaintiff failed to set forth the essential elements of any claim upon which relief can be granted. The district court, therefore, correctly granted the defendant's motion to dismiss for failure to state a claim.

AFFIRMED.