

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

April 12, 2011

Lyle W. Cayce
Clerk

No. 10-11141
Summary Calendar

WOLFPACADUMAS EL-BEY,

Plaintiff-Appellant,

versus

17TH DISTRICT COURT; JUDGE MELODY WILKINSON;
FROST NATIONAL BANK; LISA RODRIGUEZ; JERRY M. WALLER,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Texas
No. 4:10-CV-718

Before DAVIS, SMITH, and SOUTHWICK, Circuit Judges.

PER CURIAM:*

Wolfpacadumas El-Bey appeals the 28 U.S.C. § 1915(e)(2)(B) dismissal of

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 10-11141

his civil complaint as frivolous and for failure to state a claim upon relief which could be granted. We review the dismissal of a claim as frivolous under § 1915(e)(2)(B)(i) for abuse of discretion, and we review a dismissal for failure to state a claim under § 1915(e)(2)(B)(ii) *de novo*. *Black v. Warren*, 134 F.3d 732, 733 (5th Cir. 1998).

El-Bey's original complaint, entitled "Writ of Mandamus," asked the district court to order a state judge to rule on a motion filed by El-Bey in state court. In a supplemental pleading, El-Bey sought declaratory relief and damages.

The district court has no power to direct state officials in the performance of their functions. *Moye v. Clerk, DeKalb Cnty. Superior Court*, 474 F.2d 1275, 1275-76 (5th Cir. 1973). Moreover, to the extent that El-Bey was seeking a mandamus and other relief, his conclusional and nonsensical pleadings failed to provide any coherent legal basis for such relief. Because El-Bey has not demonstrated that the district court erred in dismissing his pleadings as frivolous and for failure to state a claim, the judgment is AFFIRMED.