

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

United States Court of Appeals
Fifth Circuit

F I L E D
June 8, 2010

No. 10-30244
Summary Calendar

Lyle W. Cayce
Clerk

STANLEY PRICE,

Plaintiff - Appellant

v.

MARY ANN VIAL LEMMON, as Judge and in her official capacity; PATRICK E. HIGGINBOTHAM, U. S. Circuit Judge, as Fifth Circuit Court of Appeal Appellate Judge; RHESA H. BARKSDALE, in his judicial capacities; JENNIFER W. ELROD, in her judicial capacities,

Defendants - Appellees

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 2:09-cv-07563

Before KING, STEWART, and HAYNES, Circuit Judges.

PER CURIAM:*

Stanley Price, proceeding *pro se* and *in forma pauperis*, appeals the district court's dismissal of his suit against Judges Patrick Higginbotham, Rhesa Barksdale, Jennifer Elrod, and Mary Ann Vial Lemmon. Price alleges that the judges are liable for various decisions they made in his underlying housing suit.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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See Price v. Hous. Auth. of New Orleans, 320 F. App'x 214, 215–16 (5th Cir. 2009) (per curiam) (outlining Price's housing suit claims). The district court dismissed Price's claims with prejudice pursuant to 28 U.S.C. § 1915(e)(2), determining that all of his claims should be dismissed on the grounds of judicial immunity.

“It is well established that judges enjoy absolute immunity for judicial acts performed in judicial proceedings.” *Mays v. Sudderth*, 97 F.3d 107, 110 (5th Cir. 1996) (citing *Pierson v. Ray*, 386 U.S. 547, 553–54 (1967)). “A judge will not be deprived of immunity because the action he took was in error, was done maliciously, or was in excess of his authority; rather, he will be subject to liability only when he has acted in the clear absence of all jurisdiction.” *Id.* at 111 (quoting *Stump v. Sparkman*, 435 U.S. 349, 356–57 (1978)). Even liberally construing Price's briefing, we find no merit in his conclusory arguments that the judges acted outside their jurisdiction. *See id.* The district court properly dismissed Price's claims.

AFFIRMED.