

**IN THE UNITED STATES DISTRICT COURT
EASTERN DIVISION OF ARKANSAS
EASTERN DIVISION**

DAVID LIBRACE

PLAINTIFF

VS.

2:18-cv-00066-BRW

**JUDGE DURWOOD KING, in his capacity
as City Judge for West Helena/Helana and
Personally Circuit**

DEFENDANT

ORDER

Plaintiff's Motion for Leave to Proceed *In Forma Pauperis* (Doc. No. 1) and Motion for Temporary Restraining Order (Doc. No. 3) are DENIED.

A district court has the authority to dismiss a case *sua sponte* for failure to state a claim.¹ The named defendant is a state-court judge, and Plaintiff's claims are all related to Defendant's execution of his official duties. Because Defendant is entitled to immunity, this case is DISMISSED for failure to state a claim.

IT IS SO ORDERED this 4th day of May, 2018.

/s/ Billy Roy Wilson
UNITED STATES DISTRICT JUDGE

¹See *Smith v. Boyd*, 945 F.2d 1041 (8th Cir. 1991).