

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

ORA PRICE

CIVIL ACTION

VERSUS

No. 12-992

HOUSING AUTHORITY OF NEW ORLEANS

SECTION B(2)

ORDER

Considering the foregoing Amended and Supplemental Motion for Emergency/Expeditious Hearing for Injunction and Restraining Order (Rec. Doc. No. 10) and Motion for Injunction and Restraining Orders (Rec. Doc. No. 8),

IT IS ORDERED that said motions are **DENIED**. This jurisdiction has a longstanding precedent against federal court interference with the state court system where that system affords available relief on asserted claims and there is a pending writ in the state appellate system to obtain such relief. *Gober v. Terra + Corp.*, 100 F.3d 1195, 1206 (5th Cir. 1996)(internal quotation marks omitted) (“[Federal] courts have broad discretion to abstain from hearing state law claims whenever appropriate in the interest of justice, or in the interest of comity with State courts or respect for State law).” Moreover, it is well recognized that “[c]omity, *untempered by other concerns*, counsels against federal intervention in state court proceedings, whether civil or criminal, pending or

threatened." *DeSpain v. Johnston*, 731 F.2d 1171, 1176 (5th Cir. 1984). Furthermore, "federal district courts are courts of original jurisdiction. They cannot sit as appellate courts in review of state court judgments." *Weekly v. Morrow*, 204 F.3d 613, 615 (5th Cir. 2000).

New Orleans, Louisiana, this 1st day of May 2012.

A handwritten signature in black ink, appearing to read "Louis L. Leland", written over a horizontal line.

UNITED STATES DISTRICT JUDGE