

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT DIVISION**

**DEMARIO THOMAS**

**CIVIL ACTION NO. 17-324-P**

**VERSUS**

**CHIEF JUDGE HICKS**

**WARDEN DARREL VANNOY**

**MAGISTRATE JUDGE HORNSBY**


**MEMORANDUM ORDER**

Petitioner Demario Thomas (“Thomas”) filed a motion for writ of mandamus (Doc. #7). Thomas seeks a writ of mandamus to direct the state officials to grant him post-conviction relief and administratively release him from incarceration. Mandamus relief is available “to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff.” 28 U.S.C. § 1361. However, it is well settled that federal courts have no general power to compel action by state officials. See Davis v. Lansing, 851 F.2d 72, 74 (2d Cir. 1988); Van Sickle v. Holloway, 791 F.2d 1431, 1436 n.5 (10th Cir. 1986); Russell v. Knight, 488 F.2d 96, 97 (5th Cir. 1973); Haggard v. State of Tennessee, 421 F. 2d 1384, 1386 (6th Cir. 1970). Because the Louisiana state officials are not federal officers, employees or agencies, this court lacks jurisdiction to issue a writ of mandamus to compel it to perform an alleged duty. See 28 U.S.C. § 1361.

Accordingly,

**IT IS ORDERED** that the writ of mandamus (Doc. #7) is **DENIED**.

**THUS DONE AND SIGNED**, in chambers, in Shreveport, Louisiana, this 28th day  
of February 2018.



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Mark L. Hornsby  
U.S. Magistrate Judge