

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

JOHN SANDERSON, JR.

PLAINTIFF

v.

No. 1:20CV81-SA-JMV

ALCORN COUNTY CHANCERY COURT, ET AL.

DEFENDANTS

MEMORANDUM OPINION

This matter comes before the court on the *pro se* prisoner complaint of John Sanders, Jr., who seeks a writ of mandamus from this court requiring the Alcorn County Chancery Court and Alcorn County Youth Court to rule on various cases and motions regarding state law matters. For the purposes of the Prison Litigation Reform Act, the court notes that the plaintiff was incarcerated when he filed this suit. For the reasons set forth below, the instant case will be dismissed with prejudice for want of subject matter jurisdiction.

Want of Subject Matter Jurisdiction

Mr. Sanderson has requested a writ from this court requiring two state courts to rule on matters pending before them. This court does not, however, possess the power to issue such an order:

[A] federal court lacks the general power to issue writs of mandamus to direct state courts and their judicial officers in the performance of their duties where mandamus is the only relief sought.

Moye v. Clerk, DeKalb Cty. Superior Court, 474 F.2d 1275, 1276 (5th Cir. 1973); see also *In re Stokes*, 33 F.3d 1379 (5th Cir. 1994). As Mr. Sanderson has requested only mandamus relief, the instant case must be dismissed with prejudice.

Conclusion

For the reasons set forth above, the instant case will be dismissed with prejudice for want of subject matter jurisdiction. A final judgment consistent with this memorandum opinion will issue today.

SO ORDERED, this, the 12th day of May, 2020.

/s/ Sharion Aycok
UNITED STATES DISTRICT JUDGE