

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-60654

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FRANKIE ASHBY,

Plaintiff-Appellant,

versus

JIM WITT,

Defendant-Appellee.

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Appeal from the United States District Court for the  
Northern District of Mississippi  
(1:95CV61-D-D)

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April 9, 1996

Before REAVLEY, GARWOOD and JOLLY, Circuit Judges.

PER CURIAM:\*

The dismissal of the section 1983 complaint is affirmed. Among other things, there is no liberty or property interest in having a Mississippi Chancery Court clerk enter an interlocutory default as required by Mississippi rules, and, even if there were, there is no deprivation of due process because there are adequate procedures available (though not availed of here), including a resort to the judge of the court in question, to remedy the clerk's failure to enter interlocutory default. See, e.g., *Chassaniol v. Bank of Kilmichael*, 626 So.2d 127, 132 (Miss. 1993).

AFFIRMED

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Pursuant to Local Rule 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.