

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 01-30954  
Conference Calendar

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IDA MAE WILLIAMS LEWIS,

Plaintiff-Appellant,

versus

ENERGY GULF STATES, INC.,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 01-CV-252  
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February 20, 2002

Before JOLLY, JONES, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Ida Mae Williams Lewis appeals the district court's dismissal of her pro se, in forma pauperis, civil rights complaint for failure to state a claim upon which relief could be granted. Lewis's motion to strike Entergy Gulf States's motion to dismiss the complaint that was filed in the district court is DENIED.

We review de novo the district court's grant of a motion to dismiss for failure to state a claim. Blackburn v. City of Marshall, 42 F.3d 925, 931 (5th Cir. 1995). Lewis has not

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

challenged the district court's reasons for dismissing her complaint. Accordingly, it is as if Lewis had not appealed the judgment. Brinkmann v. Dallas County Deputy Sheriff Abner, 813 F.2d 744, 748 (5th Cir. 1987).

Lewis's appeal is without arguable merit and is frivolous. Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983). Because the appeal is frivolous, it is DISMISSED. 5TH CIR. R. 42.2.

APPEAL DISMISSED AS FRIVOLOUS; MOTION DENIED.