

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

Nos. 96-10753 & 96-10778
Summary Calendar

ROBERT CHARLES MOORE, ET AL.,

Plaintiffs,

GORDON A. JONES,

Plaintiff-Appellant,

versus

JIM BOWLES, Sheriff of Dallas County,

Defendants,

JIM BOWLES, Sheriff of Dallas County,

Defendant-Appellee.

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Appeal from the United States District Court
for the Northern District of Texas
USDC Nos. 3:96-CV-1378 & 3:96-CV-387-H
- - - - -

July 14, 1997

Before JONES, DeMOSS and PARKER, Circuit Judges.

PER CURIAM:*

Gordon Jones, a state prisoner incarcerated in New Mexico, appeals an interlocutory order from the District Court for the Northern District of Texas, Dallas Division, transferring a

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

consolidated, prisoners' civil rights action to the District of New Mexico, Albuquerque Division.

An order transferring a civil action pursuant to 28 U.S.C. § 1404(a) is interlocutory in nature and is not appealable prior to the entry of a final judgment. See Stelly v. Employers Nat'l Ins. Co., 431 F.2d 1251, 1253 (5th Cir. 1970). We DISMISS the appeal for lack of jurisdiction. Robert Charles Moore's motions for leave to proceed in forma pauperis and to reinstate the appeal, filed after his appeal was dismissed, are DENIED.