

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-11070

Summary Calendar

RONALD CRAIG HENRY,

Plaintiff-Appellant,

VERSUS

H. JEAN-LOUIS, Dr.; SHAFFER, Dr.;
RONALD DREWRY, Warden, LOONEY, Major,

Defendants-Appellees.

No. 97-10344

Summary Calendar

RONALD CRAIG HENRY,

Plaintiff-Appellant,

VERSUS

H. JEAN-LOUIS, DR., ET AL.,

Defendants,

H. JEAN-LOUIS, DR.,; SHAFFER, DR.,

Defendants-Appellees.

Appeals from the United States District Court
For the Northern District of Texas

(1:96-CV-59-BA & 1:96-CV-59-C)

July 2, 1997

Before JONES, DeMOSS and PARKER, Circuit Judges.

PER CURIAM:*

Ronald Craig Henry, Texas state prisoner # 694744 requests consolidation of appeals and permission to proceed *in forma pauperis* (IFP) in the appeals arising out of the denial of his 42 U.S.C. § 1983 lawsuit.

The district court dismissed a portion of the original suit based on immunity of the defendants and Henry timely appealed. Subsequently, the district court granted summary judgment on the remaining claims and Henry appealed that ruling as well.

It is ORDERED that the motion of appellant to consolidate case number 97-10344 with case number 96-11070 is GRANTED.

On January 14, 1997, this court held Henry's appeal in abeyance for 30 days pending payment of the \$105 filing fee or submittal of the required documents pursuant to the Prison Litigation Reform Act of 1995 (PLRA). Henry timely responded; however, the documentation submitted by Henry covered the wrong six-month period (July 1996 through December 1996). The correct six-month period is February 1996 through July 1996 because Henry's notice of appeal was filed on August 23, 1996. See § 1915(a)(b).

Therefore, Henry's motion for leave to proceed IFP on appeal is DENIED, and his appeal is DISMISSED for want of prosecution.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

See 5th Cir. R. 42.3. Should Henry wish to reinstate his appeal, he is instructed to pay the \$105 filing fee to the clerk of the district court or to submit the appropriate trust fund documentation within 30 days from the date of this order.

MOTION FOR IFP DENIED. APPEAL DISMISSED.