

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-50366
Summary Calendar

PRESTON LINWOOD,

Plaintiff-Appellant,

versus

DAN SMITH, Sheriff;
BELL COUNTY MEDICAL STAFF,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. W-95-CV-143
- - - - -
September 25, 1998

Before JOLLY, SMITH, and WIENER, Circuit Judges.

PER CURIAM:*

Preston Linwood, Texas state prisoner #661979, seeks leave to proceed in forma pauperis (IFP) in the appeal of the grant of summary judgment for the defendants on his civil rights claims. By moving for IFP, Linwood is challenging the district court's certification that IFP status should not be granted on appeal because his appeal is not taken in good faith. See Baugh v. Taylor, 117 F.3d 197, 202 (5th Cir. 1997). Because Linwood has not demonstrated that he will raise a nonfrivolous issue on

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

appeal, his motion to proceed IFP is DENIED. See Howard v. King,
707 F.2d 215, 220 (5th Cir. 1983). Because the appeal is
frivolous, it is DISMISSED. 5TH CIR. R. 42.2.

IFP DENIED. APPEAL DISMISSED.