

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**

March 25, 2008

Charles R. Fulbruge III  
Clerk

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No. 07-10730  
Summary Calendar

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RAMON DEL CAMPO

Plaintiff-Appellant

v.

CARGILL MEAT PACKING

Defendant-Appellee

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 5:07-CV-102

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Before WIENER, GARZA, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Ramon Del Campo has applied for leave to proceed in forma pauperis (IFP) in this appeal from the dismissal of his civil rights complaint. Del Campo also seeks appointment of counsel on appeal.

"Under 28 U.S.C. § 1915(a), a federal court may refuse to certify an appeal for in forma pauperis status if it is not taken in good faith." *Howard v. King*, 707 F.2d 215, 219-20 (5th Cir. 1983). Del Campo's IFP motion is construed as a challenge of the district court's refusal to certify his appeal. See *Baugh v.*

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Taylor, 117 F.3d 197, 202 (5th Cir. 1997). The court's inquiry into whether the appeal is taken in good faith "is limited to whether the appeal involves legal points arguable on their merits (and therefore not frivolous)." *Id.* at 220 (quotation marks omitted). Del Campo provides no legal argument to show that he presented any claim on which the federal district court could have granted him relief under the alleged facts.

The motion for leave to proceed IFP on appeal is denied. Del Campo has shown no exceptional circumstances that warrant an appointment. Del Campo's motion for appointment of counsel is denied. Del Campo's appeal is without arguable merit, and is dismissed as frivolous. See 5TH CIR. R. 42.2; *Baugh*, 117 F.3d at 202 n. 24.

IFP DENIED; APPOINTMENT OF COUNSEL DENIED; APPEAL DISMISSED.