

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-20032
Conference Calendar

MITCHEL PITRE,

Plaintiff-Appellant,

versus

CHARLES JAMES; TIMOTHY SKEIDE,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-97-CV-926

June 15, 2000

Before JOLLY, DAVIS, and DUHÉ, Circuit Judges.

PER CURIAM:*

Mitchel Pitre, Texas inmate # 593925, appeals the judgment for the defendants after a jury trial in his civil rights suit filed pursuant to 42 U.S.C. § 1983. Pitre had at least three "strikes" within the meaning of 28 U.S.C. § 1915(g) when he filed the instant lawsuit and does not argue that he is under any imminent danger. Therefore, the district court's order allowing Pitre to proceed IFP on appeal is RESCINDED as improvidently granted. Pitre has fifteen days to pay the full \$105 filing fee

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

or risk dismissal of his appeal for want of prosecution. 5TH CIR.

R. 42.3.1.2