

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

March 16, 2011

Lyle W. Cayce
Clerk

No. 10-30741
Summary Calendar

JAMES M BOONE,

Plaintiff-Appellant

v.

SCOOTER STORE; ABULLA AEMA,

Defendants-Appellees

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 2:10-CV-1059

Before DENNIS, CLEMENT, and ELROD, Circuit Judges.

PER CURIAM:*

James M. Boone seeks leave to proceed in forma pauperis (IFP) in his appeal from the district court's denial of his request to proceed IFP in the instant suit, which is based on diversity of citizenship. Boone insists that the district court erred by denying his IFP motion because he is impecunious. Boone's arguments are insufficient to show that he will raise a nonfrivolous issue on appeal. *See Carson v. Polley*, 689 F.2d 562, 586 (5th Cir. 1982). Consequently, his IFP motion is DENIED, and this appeal is DISMISSED as frivolous. *See* 5TH CIR. R. 42.2.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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