

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

\_\_\_\_\_  
No. 15-10737  
\_\_\_\_\_

United States Court of Appeals  
Fifth Circuit

**FILED**

February 3, 2016

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JOSEPH WILLIAM WOLFE,

Defendant-Appellant

\_\_\_\_\_  
Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 2:08-CR-62-1  
\_\_\_\_\_

Before HIGGINBOTHAM, SMITH, and OWEN, Circuit Judges.

PER CURIAM:\*

Joseph William Wolfe, federal prisoner # 37730-177, moves for leave to proceed in forma pauperis (IFP) on appeal from the dismissal of his motion for review of his sentence pursuant to 18 U.S.C. § 3742(a)(1), alleging that he was eligible for sentencing without regard to the applicable statutory minimum sentence. He also seeks to proceed IFP on appeal from the dismissal of his motion “to request a writ to vacate” his federal conviction and sentence, which he claimed resulted from fraud and errors of a constitutional dimension.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 15-10737

There are no nonfrivolous appellate issues because the district court correctly concluded that it lacked jurisdiction to entertain Wolfe's motions. This appeal therefore is from the denial of "meaningless, unauthorized motion[s]." *United States v. Early*, 27 F.3d 140, 142 (5th Cir. 1994). Wolfe has failed to show that his appeal involves "legal points arguable on their merits (and therefore not frivolous)." *Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983) (internal quotation marks omitted). Accordingly, the motion for leave to proceed IFP on appeal is DENIED, *see id.*, and the appeal is DISMISSED as frivolous. *See* 5TH CIR. R. 42.2; *Baugh v. Taylor*, 117 F.3d 197, 202 & n.24 (5th Cir. 1997). Wolfe's motion for the appointment of counsel and his motion for relief from a void federal judgment also are DENIED.