

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

No. 15-60831
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

July 22, 2016

Lyle W. Cayce
Clerk

DARCY C. MARTIN,

Plaintiff-Appellant

v.

DUNAWAY FOOD SERVICES,

Defendant-Appellee

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 5:14-CV-21

Before JOLLY, DAVIS, and SOUTHWICK, Circuit Judges.

PER CURIAM:*

Darcy C. Martin moves for leave to proceed in forma pauperis (IFP) in his appeal from the district court's order granting summary judgment and dismissing his pro se civil action against Dunaway Food Services. To proceed IFP, Martin must demonstrate financial eligibility and the existence of any nonfrivolous issue for appeal. *Carson v. Polley*, 689 F.2d 562, 586 (5th Cir. 1982).

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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. 15-60831

Though Martin has demonstrated financial eligibility, he has not shown that he will raise a nonfrivolous issue on appeal. Even with the benefit of liberal construction afforded to briefs of pro se litigants, Martin has failed to identify any error in the district court's basis for granting summary judgment. As Martin has failed to address the district court's reasoning, he has not shown that the district court erred in determining that his appeal has not been taken in good faith. *See Baugh v. Taylor*, 117 F.3d 197, 199-200, 202 (5th Cir. 1997). Because the appeal is frivolous, the request for leave to proceed IFP is DENIED and the appeal is DISMISSED. *See id.* at 202 n.24; 5TH CIR. R. 42.2.