

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

United States Court of Appeals
Fifth Circuit

FILED

May 1, 2018

Lyle W. Cayce
Clerk

No. 17-60481
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

GLENN MICHAEL BONANO, JR.,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 1:12-CR-12-1

Before DAVIS, CLEMENT, and OWEN, Circuit Judges.

PER CURIAM:*

Glenn Michael Bonano, Jr., federal prisoner # 16588-043, moves this court for leave to proceed in forma pauperis (IFP) in his appeal of the district court's denial of a sentence reduction under 18 U.S.C. § 3582(c)(2). "To proceed on appeal in forma pauperis, a litigant must be economically eligible, and his appeal must not be frivolous." *Jackson v. Dallas Police Dept.*, 811 F.2d 260, 261 (5th Cir. 1986); *see* 28 U.S.C. § 1915(a), (e)(2). Bonano has not established

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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. 17-60481

his financial eligibility to proceed IFP. *See Adkins v. E.I. DuPont de Nemours & Co.*, 335 U.S. 331, 339 (1948). Nor has he shown that the appeal raises a nonfrivolous challenge to the district court's determination that he was not eligible for a sentence reduction in light of the guidelines error in his favor at sentencing. As a result of that error, the applicable range under the amended guideline is greater than the range applied at sentencing. The IFP motion is thus DENIED, and the appeal is DISMISSED AS FRIVOLOUS. *See* § 3582(c)(2); *Baugh v. Taylor*, 117 F.3d 197, 201-02 & n.24 (5th Cir. 1997); *Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983); 5TH CIR. R. 42.2.