

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

No. 18-51010

United States Court of Appeals
Fifth Circuit

FILED

June 18, 2019

Lyle W. Cayce
Clerk

MARK ANTHONY ESTRADA,

Plaintiff-Appellant

v.

ANITA LIMON, Caseworker, The Department of Family and Protective Services; ALICIA VELA, Therapist, Counseling Session, The Department of Family and Protective Services; AISLING MORALES, Family Based Safety Services Worker, The Department of Family and Protective Services; FNU MALDONADO, Officer, San Antonio Police Department; DONNA KAY MCKINNEY, District Clerk, Bexar County; LNU JOAQUINE, Bexar County Sheriff,

Defendants-Appellees

Appeal from the United States District Court
for the Western District of Texas
USDC No. 5:18-CV-1106

Before JONES, ELROD, and ENGELHARDT, Circuit Judges.

PER CURIAM:*

Mark Anthony Estrada, Texas prisoner # 906481, moves for leave to proceed in forma pauperis (IFP) in this appeal. By moving this court for leave to proceed IFP, Estrada is challenging the district court's determination that

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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. 18-51010

his appeal is not taken in good faith. *Baugh v. Taylor*, 117 F.3d 197, 202 (5th Cir. 1997).

“This court must examine the basis of its jurisdiction, on its own motion, if necessary.” *Mosley v. Cozby*, 813 F.2d 659, 660 (5th Cir. 1987). An untimely notice of appeal in a civil case deprives this court of jurisdiction. *Bowles v. Russell*, 551 U.S. 205, 213-14 (2007). Because Estrada did not file a timely notice of appeal from the district court’s judgment dismissing his 42 U.S.C. § 1983 lawsuit as frivolous and for failure to state a claim, this court lacks jurisdiction over the instant appeal. *See id.*; FED. R. APP. P. 4(a)(1)(A).

Accordingly, the appeal is DISMISSED for lack of jurisdiction. The IFP motion is DENIED as moot. All remaining outstanding motions are DENIED.