

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

May 4, 2021

Lyle W. Cayce
Clerk

No. 19-41036
Summary Calendar

THOMAS W. FLORENCE,

Petitioner—Appellant,

versus

BOBBY LUMPKIN, *Director, Texas Department of Criminal Justice,
Correctional Institutions Division,*

Respondent—Appellee.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 3:14-CV-376

Before WILLETT, HO and DUNCAN, *Circuit Judges.*

PER CURIAM:*

Thomas W. Florence, Texas prisoner # 1729344, seeks to proceed in forma pauperis (IFP) in this appeal. By moving for leave to proceed IFP,

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

No. 19-41036

Florence is challenging the district court's determination that 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 us of jurisdiction. *Bowles v. Russell*, 551 U.S. 205, 213-14 (2007). Because Florence did not file a timely notice of appeal from the district court's order denying his motion for recusal and imposing sanctions, we lack 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 and motions to supplement the record are DENIED as moot.