

United States Court of Appeals for the Fifth Circuit

No. 23-60136
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

June 28, 2023

Lyle W. Cayce
Clerk

JAMES A. LAMBERT,

Plaintiff—Appellant,

versus

MISSISSIPPI DEPARTMENT OF CORRECTION, *Records Department*;
BURL CAIN, *Commissioner, Mississippi Department of Corrections*;
PAROLE BOARD; RANIECE MATTHEWS, *Investigator, ARP*; CAPTAIN
HARTFIELD, *Warden of Area II, K-9 Officer*; MISSISSIPPI
DEPARTMENT OF CORRECTION, *Classification Department*;
MISSISSIPPI DEPARTMENT OF CORRECTION, *Medical Records
Department*,

Defendants—Appellees.

Appeal from the United States District Court
for the Northern District of Mississippi
USDC No. 4:22-CV-109

No. 23-60136

Before CLEMENT, ELROD, and HO, *Circuit Judges*.

PER CURIAM: *

James A. Lambert, Mississippi prisoner # 162664, moves for leave to proceed *in forma pauperis* on appeal from the dismissal of his 42 U.S.C. § 1983 lawsuit for failure to state a claim. We must examine the basis of our jurisdiction, *sua sponte*, if necessary. *Mosley v. Cozby*, 813 F.2d 659, 660 (5th Cir. 1987). Because Lambert's notice of appeal is untimely, we lack jurisdiction. Fed. R. App. P. 4(a)(1)(A); *see Bowles v. Russell*, 551 U.S. 205, 214 (2007). Accordingly, the appeal is DISMISSED for lack of jurisdiction. Lambert's motion for leave to proceed IFP on appeal is DENIED.

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.