

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

January 30, 2024

Lyle W. Cayce  
Clerk

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No. 23-60369  
Summary Calendar

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AKECHETA MORNINGSTAR, PH.D.,

*Plaintiff—Appellant,*

*versus*

ST. DOMINIC-JACKSON MEMORIAL HOSPITAL; DR. SAGAR  
PATEL; GLOBAL MEDICAL RESPONSE,

*Defendants—Appellees.*

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Appeal from the United States District Court  
for the Southern District of Mississippi  
USDC No. 3:22-CV-410

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Before JONES, HIGGINSON, and HO, *Circuit Judges.*

PER CURIAM:\*

Akecheta Morningstar, PH.D., seeks leave to proceed in forma pauperis (IFP) on appeal. He argues that the district court erred in dismissing his complaint for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6), and in denying his motion for leave to amend his complaint. Because Morningstar has not demonstrated that he will raise a

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

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nonfrivolous issue on appeal, his motion to proceed IFP is DENIED. *See* FED. R. APP. P. 24(a); *Baugh v. Taylor*, 117 F.3d 197, 202 (5th Cir. 1997). Because the appeal is frivolous, it is DISMISSED. *See Baugh*, 117 F.3d at 202 n.24; 5TH CIR. R. 42.2. Morningstar's motions to void the district court's order dismissing his complaint and to recuse certain judges of this court are DENIED.