

United States Court of Appeals for the Fifth Circuit

No. 24-50711
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

February 18, 2025

Lyle W. Cayce
Clerk

RONALD GUILLORY, JR., *Fish of the Blue Bear*,

Plaintiff—Appellant,

versus

SUSAN REED, *District Attorney, Individually and in His/Her Official Capacity*; AMADEO ORTIZ, *Sheriff, Individually and in His/Her Official Capacity*,

Defendants—Appellees.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 5:12-CV-896

Before JONES, DUNCAN, and DOUGLAS, *Circuit Judges.*

PER CURIAM:*

Ronald Guillory, Jr., Texas prisoner # 521958, moves this court for leave to proceed *in forma pauperis* on appeal and for summary judgment. We construe his pleadings as seeking to appeal the district court's denial of a motion for free copies of the documents in his record. Guillory failed to file

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

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a timely notice of appeal from the district court's order. *See* FED. R. APP. P. 4(a)(1)(A).

Although Rule 4 of the Federal Rules of Appellate Procedure contains two provisions granting district courts the authority to authorize appeals when the appellant fails to file a timely notice of appeal, *see* FED. R. APP. P. 4(a)(5), 4(a)(6), Guillory fails to satisfy the requisite criteria under either provision.¹

Accordingly, Guillory's appeal is DISMISSED for lack of jurisdiction. *See Bowles v. Russell*, 551 U.S. 205, 209 (2007); *Mosley v. Cozby*, 813 F.2d 659, 660 (5th Cir. 1987). His motion for summary judgment, which we construe as a motion for extraordinary relief, and his motion to proceed *in forma pauperis* are both DENIED AS MOOT.

¹This is true regardless of which order Guillory seeks to appeal. The district court entered an order denying a motion for free copies of the case documents on July 19, 2022, and denied a motion to proceed *in forma pauperis* on appeal on June 6, 2023. Guillory did not notice the present appeal until September 3, 2024. No provision in the Federal Rules of Appellate Procedure permits an appeal to be noticed after such a long delay, and we therefore lack jurisdiction regardless of which order Guillory appeals here.