

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 93-2542
Conference Calendar

HENRY CLARK,

Appellant,

versus

UNITED STATES OF AMERICA ET AL.,

Appellees.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. CA-H-89-292

- - - - -
(May 18, 1994)

Before HIGGINBOTHAM, BARKSDALE, and EMILIO M. GARZA, Circuit Judges.

BY THE COURT:

IT IS ORDERED that the appellees' motion to dismiss the appeal of Henry Clark is GRANTED. Clark's appeal lacks arguable merit and is, therefore, frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983). Because the appeal is frivolous, it is DISMISSED. See 5th Cir. R. 42.2.