

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 94-20265
Conference Calendar

WOODY ROBINSON,

Plaintiff-Appellant,

versus

JAMES A. LYNAUGH,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. CA-H-90-972

- - - - -
(September 21, 1994)

Before KING, SMITH, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Woody Robinson's motion to proceed in forma pauperis (IFP) on appeal of the dismissal of his civil rights suit is DENIED because the appeal does not present a nonfrivolous legal issue. Jackson v. Dallas Police Dep't, 811 F.2d 260, 261 (5th Cir. 1986).

Robinson's allegations of ineffective counsel are frivolous. He has not shown that the district court abused its discretion by entering summary judgment prematurely or that the entry of summary judgment was inappropriate. See International Shortstop,

* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

Inc. v. Rally's, Inc., 939 F.2d 1257, 1267 (5th Cir. 1991), cert. denied, 112 S. Ct. 936 (1992); Farmer v. Brennan, ___ U.S. ___, 114 S. Ct. 1970, 1979, 128 L. Ed. 2d 811 (1994).

The appeal, which is frivolous, is DISMISSED. 5th Cir. R. 42.2.