

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 94-20315  
Conference Calendar

---

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

LARRY BERNARD BRYANT,

Defendant-Appellant.

- - - - -  
Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. CR-90-00330

- - - - -  
(September 22, 1994)

Before KING, SMITH, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Larry Bernard Bryant's motion for an alternative sentence was unauthorized and without a jurisdictional basis. See United States v. Early, 27 F.3d 140, 141 (5th Cir. 1994). The district court properly dismissed the motion.

Because the appeal does not involve legal points of arguable merit, the appeal is frivolous. See Jackson v. Dallas Police Dep't, 811 F.2d 260, 261 (5th Cir. 1986); 5th Cir. R. 42.2. Bryant's motion to proceed IFP on appeal is therefore DENIED and the appeal DISMISSED.

---

\* 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 Pursuant to that Rule, the Court has determined that this opinion should not be published.