

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 94-20722  
Conference Calendar

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ANGELO NAPOLEON ANSLEY ET AL.,  
ANGELO NAPOLEON ANSLEY,  
versus  
CHARLES T. TERREL ET AL.,

Plaintiffs,  
Plaintiff-Appellant,  
  
Defendants-Appellees.

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ALBERT ARANDA ET AL.,  
ANGELO NAPOLEON ANSLEY,  
versus  
JAMES A. LYNAUGH ET AL.,

Plaintiffs,  
Plaintiff-Appellant,  
  
Defendants-Appellees.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. CA-H-89-277 c/w 90-1977  
- - - - -  
(March 23, 1995)

Before GARWOOD, BARKSDALE, and STEWART, Circuit Judges.

PER CURIAM:\*

The district court lacked authority to allow Angelo Napoleon Ansley to file an out-of-time appeal over one year after entry of

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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

judgment. FED. R. APP. P. 4 (a)(5) and (6). Therefore, it did not err by denying his motions for such an appeal.

Ansley's motion to appeal in forma pauperis is DENIED because the appeal does not present a nonfrivolous issue. Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983). Because the appeal is frivolous, it is DISMISSED. 5th Cir. R. 42.2.