

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 94-30630
Summary Calendar

MAURICE GIBBS,

Plaintiff-Appellant,

versus

BRUCE N. LYNN, et al.,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. CA-90-1070-B-M2
- - - - -

May 13, 1996

Before GARWOOD, WIENER, and PARKER, Circuit Judges.

PER CURIAM:*

Maurice Gibbs has filed to motion to proceed in forma pauperis on appeal from the district court's order granting summary judgment to several defendants in his civil rights action alleging deliberate indifference to his serious medical needs. Gibbs, a prisoner, asserted that the defendants violated his Eighth Amendment rights by forcing him to perform labor in violation of his work-duty status. A review of the record

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

reveals that no genuine issue remains as to any material fact.

See Fed. R. Civ. P. 56(c).

Because the appeal is without arguable merit, Gibbs' motion to proceed in forma pauperis is DENIED and the appeal is dismissed as frivolous. 5th Cir. R. 42.2.

APPEAL DISMISSED.