

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-30176
Conference Calendar

MICHAEL W. BURGE,

Plaintiff-Appellant,

versus

A.J. DUNN, Major, ET AL.,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. 93-CV-1020
- - - - -
August 22, 1995

Before KING, JOLLY, and WIENER, Circuit Judges.

PER CURIAM:*

Michael W. Burge'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).

Burge does not seek monetary damages and his claims for declaratory and injunctive relief are moot because they relate to

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 Pursuant to that Rule, the court has determined that this opinion should not be published.

a unit where he is no longer confined. See Rocky v. King, 900 F.2d 864, 867 (5th Cir. 1990).

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