

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-31203
Conference Calendar

MARK JOHNSON,

Plaintiff-Appellant,

versus

ALLEN J. BERGERON,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. 95-CV-1768
- - - - -

June 27, 1996

Before HIGGINBOTHAM, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Mark Johnson, #106858, moves this court for in forma pauperis (IFP) status to appeal the district court's order dismissing his civil rights action under 42 U.S.C. § 1983. For the same reasons that the district court stated in its opinion, we find this appeal to be frivolous. See Johnson v. Bergeron, No. 95-1768-A-1 (M.D. La. Oct. 6, 1995). Because Johnson fails to state a nonfrivolous issue on appeal, his motion for leave to

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

proceed IFP is DENIED. Because the appeal is frivolous, it is DISMISSED. See 5th Cir. R. 42.2.