

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-50472
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RENE GARZA,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. SA-94-CV-8825
- - - - -

September 3, 1996

Before EMILIO M. GARZA, STEWART and DENNIS, Circuit Judges.

PER CURIAM:*

Rene Garza (#568511) moves for leave to appeal in forma pauperis (IFP), arguing that the district court improperly denied his 28 U.S.C. § 2255 motion to vacate his sentence. Garza has identified no error in the denial. See United States v. Garza, SA-994-CV-8825 (W.D. Tex. May 31, 1995). His appeal fails to present a nonfrivolous issue; the motion for IFP is DENIED. Jackson v. Dallas Police Dep't, 811 F.2d 260, 261 (5th Cir.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

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1986). The appeal is DISMISSED. 5th Cir. R. 42.2.