

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-11146
Conference Calendar

MANUEL RIVAS,

Plaintiff-Appellant,

versus

JOHN J. CALLAHAN,
COMMISSIONER OF SOCIAL SECURITY,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 5:92-CV-152-C
- - - - -

April 15, 1997

Before REAVLEY, DAVIS, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Manuel D. Rivas appeals the district court's denial of his application and affidavit for appellate attorney's fees, which he filed pursuant to 28 U.S.C. § 2412. This court has already denied Rivas' application for the same relief he now requests. Thus, there was nothing for the district court to consider, and it so noted. This appeal is frivolous.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

APPEAL DISMISSED. See 5th Cir. R. 42.2.