

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-11331
Summary Calendar

L.B. SKINNER,

Plaintiff-Appellant,

versus

DALLAS POLICE DEPARTMENT,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:96-CV-2649-R
- - - - -

October 30, 1997

Before KING, HIGGINBOTHAM, and DAVIS, Circuit Judges.

PER CURIAM:*

L.B. Skinner, Texas prisoner #713073, has filed an application for leave to proceed in forma pauperis (IFP) on appeal, following the district court's dismissal of his 42 U.S.C. § 1983 complaint for failure to state a claim upon which relief could be granted. 28 U.S.C. § 1915A(b)(1). By moving for IFP, Skinner is challenging the district court's certification that IFP-status should not be granted on appeal because his appeal is

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

not taken in good faith. See Baugh v. Taylor, 117 F.3d 197, 202 (5th Cir. 1997).

Skinner contends that the Dallas Police Department's refusal to comply with his request for copies of police reports violated the Texas Open Records Act, the federal Freedom of Information Act, and the federal Privacy Act. Skinner has not stated a constitutional claim. See Skinner v. Dallas Police Dep't, No.3:96-CV-2649-R (N.D. Tex. Oct. 10, 1996). The appeal is meritless.

Accordingly, we uphold the district court's order certifying that the appeal is not taken in good faith and denying Skinner IFP-status on appeal, and we DISMISS Skinner's appeal as meritless. See Baugh, 117 F.3d at 202 n.24; 5th Cir. R. 42.2.

APPEAL DISMISSED.