

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-20733
Summary Calendar

ANTHONY ATKINS,

Plaintiff-Appellant,

versus

GARY L. JOHNSON, DIRECTOR, TEXAS
DEPARTMENT OF CRIMINAL JUSTICE,
INSTITUTIONAL DIVISION; HASSEL R. TERRY,
Warden; STELLA L. WILKERSON; CHERRYL J. PAULK,

Defendants-Appellees.

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Appeal from the United States District Court
for the Southern District of Texas
USDC No. CA-H-94-3604
- - - - -

April 25, 1997

Before JONES, DeMOSS and PARKER, Circuit Judges.

PER CURIAM:*

Anthony Atkins, Texas state prisoner # 560931, requests permission to proceed in forma pauperis (IFP) in the appeal of the denial of his 42 U.S.C. § 1983 lawsuit. On January 9, 1997, Chief Judge Politz ordered Atkins to file an affidavit for leave to proceed IFP on appeal pursuant to the Prison Litigation Reform Act of 1995 (PLRA). The order held Atkins' appeal in abeyance

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

for 30 days pending payment of the \$105 filing fee or submittal of the required documents pursuant to the PLRA. Atkins timely responded; however, the documentation submitted by Atkins does not comply with the requirements imposed by the PLRA because he did not submit information regarding his prison trust account for the required six-month period. See § 1915(a), (b). Accordingly, Atkins's motion for leave to proceed IFP on appeal is DENIED, and his appeal is dismissed for want of prosecution. See 5th Cir. R. 42.3. Should Atkins wish to reinstate his appeal, he is instructed to pay the \$105 filing fee to the clerk of the district court within 30 days from the date of this order.

MOTION DENIED. APPEAL DISMISSED.