

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-20845
Summary Calendar

RALPH W. FOWLER,

Plaintiff-Appellant,

versus

JAMES A. LYNAUGH, ET AL.,

Defendants,

LEONARD D. ELLIS,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. CA-H-93-2516
- - - - -

April 30, 1997

Before KING, JOLLY and DENNIS, Circuit Judges.

PER CURIAM:*

Ralph W. Fowler, TDCJ # 456273, has filed a motion for
proceed in forma pauperis (IFP) in his appeal of the district
court's grant of summary judgment dismissing his civil rights

* 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that this opinion should not be published and is not precedent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.

complaint. Fowler's motion for IFP is GRANTED and an initial partial filing fee of \$35.14 is assessed.**

Fowler argues that the district court erred by granting summary judgment in favor of Ellis. We have reviewed the briefs of the parties and the record on appeal and find no reversible error. Accordingly, we AFFIRM for the reasons stated by the district court. Fowler v. Lynaugh, No. H-93-2516 (S.D. Tex. Aug. 9, 1996).

MOTION GRANTED. AFFIRMED.

** Fowler also will be required to make monthly payments of 20% of the preceding month's income credited to his account. See § 1915(b)(2). The agency having custody of Fowler is directed to forward payments from his account to the clerk of the district court each time the amount in his account exceeds \$10 until the filing fee is paid. Id.