

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-20940
Conference Calendar

JOE GAMBOA RODRIGUEZ,

Plaintiff-Appellant,

versus

DESSIE CHERRY et al.,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-95-CV-3831
- - - - -

April 16, 1997

Before REAVLEY, DAVIS, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Joe Gamboa Rodriguez, #648878, moves this court for leave to proceed in forma pauperis on appeal from the dismissal of his civil rights complaint. On January 9, 1997, Chief Judge Politz ordered Rodriguez to file an affidavit for leave to proceed IFP on appeal pursuant to the Prison Litigation Reform Act of 1995 (PLRA). The order held Rodriguez's appeal in abeyance for 30 days pending payment of the \$105 filing fee or submittal of the

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

required documents pursuant to the PLRA. Rodriguez timely responded; however, the financial documentation submitted by Rodriguez does not comply with the requirements imposed by the PLRA because he did not submit a signed affidavit attesting to his assets owned, nor did Rodriguez submit information regarding his prison trust account for the period required. See § 1915(a). Accordingly, Rodriguez's motion for leave to proceed IFP on appeal is DENIED, and his appeal is dismissed for want of prosecution. See Fifth Circuit Rule 42.3. Should Rodriguez 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.