

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-30531
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

VICTOR MANUEL GARCIA, also known as James Garcia, also known
as Alberto Molano Martinez, also known as Harold Ozorio,
also known as James Gonzales,

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 95-CR-86-A

October 23, 1996

Before POLITZ, Chief Judge, and JOLLY and HIGGINBOTHAM, Circuit Judges.

PER CURIAM:*

This court must examine the basis of its jurisdiction on its own motion if necessary. Mosley v. Cozby, 813 F.2d 659, 660 (5th Cir. 1987). In this criminal proceeding, the defendant has filed a notice of appeal from the district court's order overruling his objections to the Government's motion for issuance of a

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

preliminary order of forfeiture. Federal appellate courts have jurisdiction over appeals only from (1) final orders, 28 U.S.C. § 1291; (2) interlocutory orders that fall into specific classes, 28 U.S.C. § 1292(a); (3) orders that are deemed final due to jurisprudential exception; or (4) orders that have been properly certified as final pursuant to Fed. R. Civ. P. 54(b), or that have been properly certified for appeal by the district court, 28 U.S.C. § 1292(b). See Dardar v. Lafourche Realty Co., Inc., 849 F.2d 955, 957 (5th Cir. 1988); Save the Bay, Inc. v. United States Army, 639 F.2d 1100, 1102 (5th Cir. 1981). A decision is final when it "ends the litigation on the merits and leaves nothing for the court to do but execute the judgment." Coopers & Lybrand v. Livesay, 437 U.S. 463, 467 (1978) (internal quotations and citation omitted). The district court's order is not a final or otherwise appealable order, and we can discern no basis for appellate jurisdiction. Thus, Garcia's motions to proceed in forma pauperis on appeal, for transcripts, and for extension of time to file his brief are DENIED, and the appeal is DISMISSED.