

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-40433
Summary Calendar

LEE CHARLES HAMILTON,

Plaintiff-Appellant,

versus

BOWIE COUNTY CORRECTIONAL CENTER
et al.,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 5:93-CV-146
- - - - -

September 24, 1997

Before JOLLY, BENAVIDES and PARKER, Circuit Judges.

PER CURIAM:*

Texas prisoner Lee Charles Hamilton, no. 621844, seeks leave to proceed in forma pauperis (IFP) in this appeal from the district court's final judgment for the defendants in his civil rights complaint.

This court previously remanded the case to allow Hamilton to file in the district court a motion for leave to proceed in forma pauperis (IFP) that contained the necessary financial information

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

required by the Prison Litigation Reform Act of 1995 (PLRA) for the district court to ascertain Hamilton's pauper status. The district court issued additional orders requesting from Hamilton an IFP motion accompanied by the required financial information. Hamilton failed to file an IFP motion in the district court and has not given the district court or this court any indication of his desire to continue on appeal in this case. Accordingly, Hamilton's motion for leave to proceed IFP on appeal, which he filed prior to the remand, is DENIED, and his appeal is DISMISSED for want of prosecution. See 5th Cir. R. 42.3. Should Hamilton wish to reinstate his appeal, he is instructed to pay the \$105 filing fee to the clerk of the district court within thirty days from the date of this order.

Hamilton's motion for a transcript at Government expense is DENIED as moot.

MOTIONS DENIED. APPEAL DISMISSED.