

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-40456  
Summary Calendar

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DAGOBERTO VARGAS,

Plaintiff-Appellant,

versus

RUBEN LONGORIA; MARI  
G. LOPEZ; ROLANDO GARCIA,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. CA-C-94-297  
- - - - -

May 12, 1997

Before SMITH, DUHE' and BARKSDALE, Circuit Judges.

PER CURIAM:\*

Dagoberto Vargas, Texas state prisoner # 429237, requests permission to proceed in forma pauperis (IFP) in the appeal of the denial of his pro se and in forma pauperis complaint filed pursuant to 42 U.S.C. § 1983. On January 9, 1997, Chief Judge Politz ordered Vargas to file an affidavit for leave to proceed IFP on appeal pursuant to the Prison Litigation Reform Act of

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

1995 (PLRA). The order held Vargas' appeal in abeyance for 30 days pending payment of the \$105 filing fee or submittal of the required documents pursuant to the PLRA. Vargas timely responded; however, the documentation submitted by Vargas 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, Vargas' 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 Vargas 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.