

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-50228  
Conference Calendar

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JERRY LEWIS DEDRICK,

Plaintiff-Appellant,

versus

UNITED STATES OF AMERICA; BILL CLINTON,  
President of the United States of America,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. MO-95-CV-213  
- - - - -

June 26, 1996

Before HIGGINBOTHAM, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Jerry Lewis Dedrick, Texas prisoner #662909, has filed a request to proceed in forma pauperis (IFP) on appeal of the district court's dismissal of his action construed as a petition for writ of habeas corpus under 28 U.S.C. § 2254. See Fed. R. App. P. 22(b). Dedrick argues that his state conviction for delivery of cocaine violates his Equal Protection rights because

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

the defendants are also involved in drug-trafficking but have not been convicted for the drug offenses. Because Dedrick failed to exhaust his state remedies, we DENY his IFP motion and DISMISS his appeal. See Richardson v. Procunier, 762 F.2d 429, 431-32 (5th Cir. 1985). We also DENY as moot Dedrick's motions for summary judgment and appointment of counsel.

IFP MOTION DENIED; MOTIONS DENIED AS MOOT; APPEAL DISMISSED.