

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-50624  
USDC No. EP-94-CV-191

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DANIEL IFY IWEGBU,

Plaintiff-Appellant,

versus

UNITED STATES BORDER PATROL, Et al;

Defendants,

JANET RENO,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Western District of Texas  
- - - - -

January 14, 1997

Before JONES, DeMOSS and PARKER, Circuit Judges.

PER CURIAM:\*

Daniel Ify Iwegbu, federal prisoner #22600-077, appeals from the district court's grant of summary judgment to the defendants and the dismissal of his remaining claim in his civil rights suit. He has filed a motion for leave to proceed in forma pauperis (IFP) on appeal. The motion for leave to appeal IFP is

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

GRANTED.

The clerk's office is directed to collect an initial partial filing fee of \$10.14 from Iwegbu. See 28 U.S.C. § 1915(b). After payment of the \$10.14, Iwegbu shall be required to make monthly payments of twenty percent of the preceding month's income credited to his account. See id. The agency having custody of Iwegbu is directed to forward payments from his prisoner account to the clerk of the district court each time the amount in his account exceeds \$10 until the filing fee is paid. See id.

We have reviewed the issues raised by Iwegbu in light of the appellate record and conclude that they are without arguable merit and are thus frivolous. Because Iwegbu presents no nonfrivolous issue on appeal, the appeal is DISMISSED. 5th Cir. R. 42.2.

MOTION GRANTED; APPEAL DISMISSED.