

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-60491  
Conference Calendar

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CARL FLOWERS,

Plaintiff-Appellant,

versus

DAVID M. BRYANT et al.,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Northern District of Mississippi  
USDC No. 2:94CV159-B-B  
- - - - -

April 16, 1997

Before REAVLEY, DAVIS, and BARKSDALE, Circuit Judges.

PER CURIAM:\*

Carl Flowers, Mississippi state prisoner #82520, appeals from the denial of his motion for appointment of counsel in his 42 U.S.C. § 1983 civil rights complaint. He has filed a motion for leave to proceed in forma pauperis (IFP) on appeal. The motion for leave to appeal IFP is GRANTED. Because Flowers has no funds in his prison trust-fund account, no initial partial filing fee is required. See 28 U.S.C. § 1915(b)(4). Flowers

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

shall make monthly payments of twenty percent of the preceding month's income credited to his account. See 28 U.S.C.

§ 1915(b)(2). The agency having custody of Flowers 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 of \$105 is paid. See id.

The district court did not abuse its discretion in denying Flowers' motion for appointment of counsel. See Jackson v. Dallas Police Dep't, 811 F.2d 260, 261 (5th Cir. 1986).

AFFIRMED.