

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-60594
USDC No. 4:95-CV-123-S-B

ROOSEVELT FORD,

Plaintiff-Appellant,

versus

KENNETH C. BEAL, JR.; EDWARD HARGETT;
LARRY HARDY; JOHN HOPKINS; J. STEWART MUPRHY;
BILL STEIGER; A. M. PHILLIPS; DR. BEFURS;
UNKNOWN DENTISTS (2),

Defendants-Appellees,

- - - - -
Appeal from the United States District Court
for the Northern District of Mississippi
- - - - -

April 16, 1997

Before REAVLEY, DAVIS, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Roosevelt Ford, a Mississippi prisoner (# 42452), appeals from the district court's dismissal as frivolous of his civil rights complaint alleging deliberate indifference to his serious medical needs. He has filed a motion for leave to proceed in forma pauperis ("IFP") on appeal. The motion for leave to appeal IFP is GRANTED.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Ford is not required to pay an initial partial filing fee. 28 U.S.C. § 1915(b)(4). Ford shall make monthly payments of twenty percent of the preceding month's income credited to his prison trust fund account. The agency having custody of Ford shall forward payments from his account to the clerk of the district court each time the amount in his account exceeds \$10 until the filing fee is paid. 28 U.S.C. § 1915(b)(2).

There is no arguable merit to Ford's contentions that he is entitled to relief on grounds that (1) the district court abused its discretion in finding that his deliberate-indifference claims were frivolous and that (2) the magistrate judge erred in not permitting Ford to conduct discovery. Because Ford's appeal is frivolous, it is DISMISSED. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983); 5th Cir. R. 42.2.

IFP GRANTED; APPEAL DISMISSED.