

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-10053
Summary Calendar

RONALD DEAN LOWE,

Plaintiff-Appellant,

versus

JOHN VANCE,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:96-CV-2685-P
- - - - -

July 1, 1997

Before KING, JOLLY, and DENNIS, Circuit Judges.

PER CURIAM:*

The magistrate judge improperly granted Ronald Dean Lowe, Oklahoma inmate #219027, leave to proceed on appeal in forma pauperis (IFP). Lowe has at least three strikes, pursuant to 28 U.S.C. § 1915(g), which bars Lowe from IFP status. See Lowe v. Cantrell, No. 96-10408 (5th Cir. Aug. 20, 1996) (unpublished; dismissing as frivolous an appeal from the dismissal, for frivolousness, of a civil rights complaint); Lowe v. Cantrell,

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

No. 96-6288 (10th Cir. Jan. 7, 1997) (unpublished; affirmance of denial of leave to file a complaint IFP due to three prior strikes under § 1915(g)); Lowe v. Doe, No. 96-CV-402 (N.D. Tex. July 26, 1996) (dismissal, pursuant to § 1915, of civil rights complaint).

Nothing in the record indicates that the exception to the statutory bar applies in this case. IT IS ORDERED that the earlier order granting leave to proceed IFP is VACATED. Lowe has thirty days in which to pay the \$105 filing fee. Failure to make timely payment will result in the dismissal of the appeal for want of prosecution. See 5th Cir. R. 42.3.1.2.

APPEAL DISMISSED IF FULL FILING FEE NOT PAID.