

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-11251
Conference Calendar

RAFAEL VASQUEZ,

Plaintiff-Appellant,

versus

JOSE M. GUERRERO,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 7:97-CV-49
- - - - -

August 19, 1998

Before KING, HIGGINBOTHAM, and JONES, Circuit Judges.

PER CURIAM:*

Rafael Vasquez, Texas prisoner #738214, appeals from the district court's judgment dismissing his 42 U.S.C. § 1983 civil rights complaint as frivolous. This court must examine sua sponte the basis of its own jurisdiction if necessary. Mosley v. Cozby, 813 F.2d 659, 660 (5th Cir. 1987). Because the record shows that Vasquez did not file a timely notice of appeal, his appeal is DISMISSED for lack of jurisdiction. See Fed. R. App. P. 4(a)(1); Mosley, 813 F.2d at 660. Because this court lacks

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

jurisdiction over his appeal, Vasquez's pending motions to supplement the record, for an appeal conference, for voluntary dismissal, and for a stay or injunction, are DENIED.

APPEAL DISMISSED; MOTIONS DENIED.