

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-10554
Summary Calendar

HORACE JEFFERY,

Plaintiff-Appellant,

versus

NFN KEENE; NFN PAUL;
NFN GENTRY; R. MORRELL,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 7:98-CV-51-X
- - - - -

October 2, 1998

Before EMILIO M. GARZA, DeMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Horace Jeffery, Texas prisoner # 669340, seeks leave to proceed in forma pauperis (IFP) in the dismissal as frivolous of his civil rights claims pursuant to 28 U.S.C. § 1915(e)(2)(B)(i). By moving for IFP, Jeffery is challenging the district court's certification that IFP status should not be granted on appeal because his appeal is not taken in good faith. See Baugh v. Taylor, 117 F.3d 197, 202 (5th Cir. 1997). Because Jeffery has not demonstrated that he will raise a nonfrivolous issue on

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

appeal, his motion to proceed IFP is DENIED. See Howard v. King, 707 F.2d 215, 220 (5th Cir. 1983). Because the appeal is frivolous, it is DISMISSED. 5TH CIR. R. 42.2.

Jeffery is cautioned that any future frivolous appeals or pleadings filed by him or on his behalf will invite the imposition of sanctions. Jeffery should review any pending appeals to ensure that they do not raise arguments that are frivolous.

Jeffery has filed several motions, including one for appointment of counsel. All of these motions are DENIED.

IFP DENIED; MOTIONS DENIED; APPEAL DISMISSED; SANCTION WARNING ISSUED.