

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-31422
Summary Calendar

GLENN R. WADE,

Plaintiff-Appellant,

versus

CHARLES C. FOTI, JR.; CORPORAL WINFIELD; CORPORAL PENNINGTON;
Sergeant JENKINS; CORPORAL FISON,

Defendants-Appellees.

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 99-CV-947-F

November 7, 2000

Before DAVIS, JONES and DEMOSS, Circuit Judges.

PER CURIAM:*

Glenn Wade, Louisiana prisoner # 108316, seeks in forma pauperis (IFP) status for his appeal following the district court's denial of his IFP motion. The district court had dismissed Wade's 42 U.S.C. § 1983 suit, in which he alleged that prison officials failed to protect Wade from another inmate. The dismissal was based upon the credibility determinations made by the magistrate judge following a trial. When denying Wade IFP

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

status for his appeal, the district court certified that the appeal was not being taken in good faith because, "[b]ased on the only credible evidence presented, the defendant acted reasonably under the circumstances."

Wade does not challenge the district court's reasons for its denial of Wade's IFP motion except to suggest that the district court made an insufficient, cursory determination whether Wade's appeal was being taken in good faith. The district court sufficiently stated reasons for denying Wade IFP status. See Baugh v. Taylor, 117 F.3d 197, 202 & n.21 (5th Cir. 1997). Wade has not made a meritorious challenge to the district court's denial of IFP. His motion to proceed IFP on appeal is DENIED. His motion for the production of documents is DENIED. The appeal is without arguable merit and thus frivolous. It is DISMISSED. See id. at 202 n.24; 5TH CIR. R. 42.2.