

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 99-41140  
Summary Calendar

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CLARENCE G. WILKINS, JR.,

Plaintiff-Appellant,

versus

O. PEREZ ET AL.,

Defendants,

O. PEREZ, Warden; D. MOONEYHAM,  
Captain; T. LAWRENCE,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. C-96-CV-230

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May 10, 2001

Before POLITZ, JONES, and BARKSDALE, Circuit Judges.

PER CURIAM:\*

This court must examine the basis of its jurisdiction on its own motion if necessary. Mosley v. Cozby, 813 F.2d 659, 660 (5th Cir. 1987). Clarence Wilkins, Jr., Texas prisoner # 664542, appeals from the district court's order dismissing his civil rights suit for failure to pay the filing fee. However, the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

notice of appeal was filed more than one year after entry of the district court's judgment. Because the notice of appeal was not filed within 30 days of the judgment in accordance with Federal Rule of Appellate Procedure 4(a)(1)(A),. this court lacks jurisdiction to entertain the appeal. See United States v. Merrifield, 764 F.2d 436, 437 (5th Cir. 1985) (timely notice of appeal is prerequisite to exercise of appellate jurisdiction). Accordingly, the appeal is DISMISSED.