

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-60738
Conference Calendar

MELVIN GAMAGE,

Petitioner-Appellant,

versus

WALTER BOOKER,

Respondent-Appellee.

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 1:99-CV-264-R-A

June 14, 2001

Before WIENER, DeMOSS, and DENNIS, 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). Melvin Gamage, Mississippi prisoner # 58703, appeals the district court's order transferring his successive 28 U.S.C. § 2254 habeas corpus petition to this court for a determination whether the district court should be authorized to consider it. In transferring the petition, the district court relied on 28 U.S.C. § 1631. Under these circumstances, the transfer order is a nonappealable interlocutory order. See Brinar v. Williamson,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

___ F.3d ___, 2001 WL 273844 *2 (5th Cir. Apr. 4, 2001, No. 00-50428) (28 U.S.C. § 2255 case). Accordingly, the appeal is DISMISSED.