

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

February 10, 2020

Lyle W. Cayce
Clerk

No. 19-30495
Summary Calendar

KING/MOROCCO,

Plaintiff-Appellant

v.

PREMIER HONDA OF NEW ORLEANS,

Defendant-Appellee

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 2:18-CV-8966

Before JONES, HIGGINSON, and OLDHAM, Circuit Judges.

PER CURIAM:*

King/Morocco moves for leave to proceed in forma pauperis (IFP) in this appeal. By moving this court for leave to proceed IFP, King/Morocco is challenging the district court's determination that his appeal is not taken in good faith. *Baugh v. Taylor*, 117 F.3d 197, 202 (5th Cir. 1997).

"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). We do not

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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have jurisdiction to address King/Morocco's appeal of the magistrate judge's order denying him IFP status. *See Donaldson v. Ducote*, 373 F.3d 622, 624 (5th Cir. 2004); *see also Colburn v. Bunge Towing, Inc.*, 883 F.2d 372, 379 (5th Cir. 1989). In addition, an untimely notice of appeal in a civil case deprives this court of jurisdiction. *Bowles v. Russell*, 551 U.S. 205, 213-14 (2007). Because he did not file a timely notice of appeal from the district court's order denying his motion for an appeal to the district court, this court also lacks jurisdiction over that portion of King/Morocco's appeal. *See id.*; FED. R. APP. P. 4(a)(1)(A).

Accordingly, the appeal is DISMISSED for lack of jurisdiction. The IFP motion is DENIED as moot. King is WARNED that future frivolous, repetitive, or otherwise abusive filings will invite the imposition of sanctions, which may include dismissal, monetary sanctions, and restrictions on his ability to file pleadings in this court and any court subject to this court's jurisdiction.