

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-20799
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ADIELE C. ONWUASOANYA; MARY E. ONWUASOANYA,

Defendants-Appellants.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-91-CR-218-1
- - - - -

April 19, 1999

Before JONES, SMITH, and DUHÉ, Circuit Judges.

PER CURIAM:*

Adiele Chukwu Onwuasoanya, federal prisoner # 59543-079, requests leave to appeal in forma pauperis (IFP) the district court's denial of his "Ex Parte Motion for Discovery of the Character of the District Court." Onwuasoanya's motion was "unauthorized and without a jurisdictional basis." See United States v. Early, 27 F.3d 140, 141 (5th Cir. 1994). Because Onwuasoanya's appeal fails to present a nonfrivolous issue, his motion for IFP is DENIED. See Jackson v. Dallas Police Dep't,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

811 F.2d 260, 261 (5th Cir. 1986). The appeal is DISMISSED. 5th Cir. R. 42.2.

We caution Onwuasoanya that any additional frivolous appeals filed by him or on his behalf will invite the imposition of sanctions. To avoid sanctions, Onwuasoanya should review any pending appeals to ensure that they do not raise arguments that are frivolous.

Although Onwuasoanya purports to move for leave to proceed IFP on appeal on behalf of his wife, Mary E. Onwuasoanya has not moved in this court for leave to proceed IFP on appeal or filed an affidavit in support of such motion. See 28 U.S.C. § 1915(a)(1) (the court may grant leave to proceed IFP to "a person" who submits an appropriate affidavit).

IFP DENIED; APPEAL DISMISSED; SANCTION WARNING ISSUED.