

United States Court of Appeals  
for the Fifth Circuit

---

No. 20-10732  
Summary Calendar

---

United States Court of Appeals  
Fifth Circuit

**FILED**

November 4, 2022

Lyle W. Cayce  
Clerk

PAUL D. TIMMS,

*Plaintiff—Appellant,*

*versus*

CHRISTIAN DOUTHIT, *Medical Doctor,*

*Defendant—Appellee.*

---

Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 5:20-CV-67

---

Before HIGGINBOTHAM, GRAVES, and HO, *Circuit Judges.*

PER CURIAM:\*

Paul D. Timms, Texas prisoner # 1564883, appeals the district court's denial of his motion to proceed in forma pauperis (IFP) in his 42 U.S.C. § 1983 proceeding. We review the district court's denial of IFP status for an abuse of discretion. *See Flowers v. Turbine Support Div.*, 507 F.2d 1242, 1244

---

\* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

No. 20-10732

(5th Cir. 1975), *superseded on other grounds by statute as recognized in Thompson v. Drewry*, 138 F.3d 984, 985-86 (5th Cir. 1998).

The district court's determination that Timms was financially ineligible to proceed IFP was not based on arbitrary or erroneous grounds. *See Flowers*, 507 F.2d at 1244. Given the deposits and balances in Timms's inmate trust account during the months preceding the initiation of his § 1983 action, the district court's ruling does not represent an abuse of discretion. *See id.*

AFFIRMED.