

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

July 8, 2022

Lyle W. Cayce  
Clerk

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No. 20-40689

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COY L. WHITE,

*Plaintiff—Appellant,*

*versus*

SHARON HAYDEN, *CMA*; DANIEL GIPSON, *CMA*; JAMIE  
MARTIN, *N.P.*; LESLIE PICKENS, *R.N.*; LINDA L. WALDEN, *D.O.*;  
JAMMIE BARKER, *R.N.*,

*Defendants—Appellees.*

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 5:19-CV-113

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Before ELROD, OLDHAM, and WILSON, *Circuit Judges.*

PER CURIAM:\*

Coy White, Texas prisoner # 1478786, moves to appeal in forma pauperis (IFP) from the dismissal of his 42 U.S.C. § 1983 complaint for failure to state a claim of deliberate indifference to serious medical needs.

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\* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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The district court applied the correct legal standard and concluded that, when White's pleadings were liberally construed and his factual allegations accepted as true, he had not stated a claim of deliberate indifference. White's repeated and conclusional assertions that he alleged enough to satisfy the pleading requirement of Federal Rule of Civil Procedure 8 does not provide a nonfrivolous issue for appeal. *See McGarrah v. Alford*, 783 F.3d 584, 584 (5th Cir. 2015). Accordingly, the IFP motion is DENIED and the appeal is DISMISSED as frivolous. *See id.*; *Baugh v. Taylor*, 117 F.3d 197, 202 n.24 (5th Cir. 1997); 5TH CIR. R. 42.2. White's motion to appoint appellate counsel is also DENIED.

This dismissal as frivolous and the district court's dismissal for failure to state a claim each count as a strike under 28 U.S.C. § 1915(g). *See McGarrah*, 783 F.3d at 584. White is WARNED that if he accumulates three strikes he will be "barred from proceeding IFP in any civil action or appeal filed while he is incarcerated or detained in any facility unless he is under imminent danger of serious physical injury." *Id.*; § 1915(g).