

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

March 30, 2021

Lyle W. Cayce  
Clerk

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No. 20-50303  
Summary Calendar

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CAROL JOHNENE MORRIS,

*Petitioner—Appellant,*

*versus*

UNITED STATES OF AMERICA,

*Respondent—Appellee.*

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 7:20-CV-76

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Before WILLETT, HO, and DUNCAN, *Circuit Judges.*

PER CURIAM:\*

Carol Johnene Morris, Texas prisoner # 1681899, seeks to proceed in forma pauperis (IFP) in her appeal of the district court's dismissal of her 28 U.S.C. § 2241 petition challenging her four 1997 federal firearm-related convictions. The district court dismissed the petition for lack of jurisdiction

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\* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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because Morris was no longer in custody pursuant to the 1997 federal convictions.

To proceed IFP, Morris must demonstrate both financial eligibility and a nonfrivolous issue for appeal. *See* FED. R. APP. P. 24(a); *Carson v. Polley*, 689 F.2d 562, 586 (5th Cir. 1982). Based on our review of Morris's submissions and the record, she has not demonstrated a nonfrivolous issue for appeal with respect to the district court's determination that it lacked jurisdiction over her § 2241 petition. *See Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983). Therefore, her IFP motion is DENIED, and her appeal is DISMISSED as frivolous. *See Baugh v. Taylor*, 117 F.3d 197, 202 & n.24 (5th Cir. 1997); 5TH CIR. R. 42.2.