

United States Court of Appeals
for the Fifth Circuit

No. 21-10652
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

October 6, 2022

Lyle W. Cayce
Clerk

WAYNE JOSEPH CHANG,

Plaintiff—Appellant,

versus

UNITED STATES OF AMERICA,

Defendant—Appellee.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:21-CV-776

Before WIENER, ELROD, and ENGELHARDT, *Circuit Judges.*

PER CURIAM:*

Wayne Joseph Chang, federal prisoner # 57957-177, appeals the magistrate judge's order, as well as the order denying his subsequent motion for reconsideration thereof, directing him to pay the filing fee for his civil action and deferring a decision on his motion to proceed in forma pauperis.

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.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. 21-10652

As the record does not reflect that the parties consented to proceed before the magistrate judge pursuant to 28 U.S.C. § 636(c), the orders in question were not appealable to this court, and we are without jurisdiction to review them. *See Donaldson v. Ducote*, 373 F.3d 622, 624-25 (5th Cir. 2004); *Butler v. S. Porter*, 999 F.3d 287, 297 (5th Cir. 2021), *cert. denied*, 142 S. Ct. 766 (2022). We are also unable to view Chang's notice of appeal as effective to appeal the subsequent order and judgment of the district court. *See United States v. Cooper*, 135 F.3d 960, 963 (5th Cir. 1998).

The appeal is accordingly DISMISSED for lack of jurisdiction.