

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

April 6, 2022

Lyle W. Cayce
Clerk

No. 21-50691
Summary Calendar

ROBERT LEE HICKS,

Plaintiff—Appellant,

versus

WARDEN KEVIN PINNEY; MAJOR JASON ZEISLOFT; SERGEANT
JAMES VANDERPOOL; JOHN DOE (1 THRU 32), *TDCJ Employees*;
BRIAN COLLIER, *Executive Director of TDCJ,*

Defendants—Appellees.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 6:21-CV-171

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

PER CURIAM:*

Robert Lee Hicks, Texas prisoner # 1811716, has filed a motion for leave to proceed in forma pauperis (IFP) on appeal from the district court's

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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dismissal of his 42 U.S.C. § 1983 lawsuit as frivolous, pursuant to 28 U.S.C. § 1915(e)(2)(B).

Because Hicks's notice of appeal is untimely, we lack jurisdiction. *See* FED. R. APP. P. 4(a)(1)(A); *see also Bowles v. Russell*, 551 U.S. 205, 214 (2007). Accordingly, the appeal is DISMISSED for lack of jurisdiction. Hicks's motion for leave to proceed IFP on appeal is DENIED.