

United States Court of Appeals  
for the Fifth Circuit

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No. 24-10393  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

March 30, 2026

Lyle W. Cayce  
Clerk

IN THE MATTER OF MARCUS JARROD PAYNE

*Debtor,*

MARCUS JARROD PAYNE,

*Appellant,*

*versus*

STACY ELEY PAYNE,

*Appellee.*

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:22-CV-2709

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Before JONES, SMITH, and HIGGINSON, *Circuit Judges.*

PER CURIAM:\*

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\* This opinion is not designated for publication. See 5TH CIR. R. 47.5.

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Marcus Jarrod Payne moves for leave to proceed in forma pauperis (IFP) in this appeal from the district court's order affirming the bankruptcy court's denial of Payne's motion to vacate a permanent injunction.

A motion to proceed IFP on appeal is a challenge to the district court's certification that the appeal is not taken in good faith. *See Baugh v. Taylor*, 117 F.3d 197, 202 (5th Cir. 1997). Appellant's motion and briefing fail to show that the district court erred in finding that his proposed appeal would be objectively frivolous. His appeal is without arguable merit and thus frivolous. *See Howard v. King*, 707 F.2d 215, 219-20 (5th Cir. 1983) (per curiam).

This appeal is therefore DISMISSED. *See Baugh*, 117 F.3d at 202 n.24; 5TH CIR. R. 42.2. Appellant's motion to proceed IFP is DENIED as moot.