

United States Court of Appeals
for the Fifth Circuit

No. 25-11363

United States Court of Appeals
Fifth Circuit

FILED

October 12, 2026

Thomas B. Plunkett, III
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

NOHMAAN MALIK,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:22-CR-340-1

Before JONES, HO, and ENGELHARDT, *Circuit Judges.*

PER CURIAM:*

Nohmaan Malik, federal prisoner # 19017-510, moves for leave to proceed in forma pauperis (IFP) in his appeal from the denial of his motion for reconsideration and amended motion for compassionate release, filed pursuant to 18 U.S.C. § 3582(c)(1)(A)(i). However, his arguments before this court relate to the district court's denial of a motion to dismiss his criminal judgment pursuant to Federal Rule of Criminal Procedure 12(b)(1)

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

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and to return forfeited property pursuant to Federal Rule of Criminal Procedure 41(g). Malik's failure to identify any error in the district court's ruling that is the basis of the instant appeal "is the same as if he had not appealed that judgment." *Brinkmann v. Dallas Cnty. Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987).

Accordingly, Malik's IFP motion is DENIED, and the appeal is DISMISSED as frivolous. *See Baugh v. Taylor*, 117 F.3d 197, 202 & n.24 (5th Cir. 1997); *Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983); 5TH CIR. R. 42.2. Malik's alternative request to treat his notice of appeal as a petition for a writ of mandamus is likewise DENIED.