

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

January 30, 2026

Lyle W. Cayce
Clerk

No. 25-20314
Summary Calendar

MAXWELL CHIBUEZE EZENWA,

Plaintiff—Appellant,

versus

UNITED STATES OF AMERICA; SHERYL FRYER,

Defendants—Appellees.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:24-CV-1510

Before JONES, RICHMAN, and RAMIREZ, *Circuit Judges*.

PER CURIAM:*

Maxwell Chibueze Ezenwa, federal prisoner # 83800-079, moves for leave to proceed in forma pauperis (IFP) in this appeal. By moving this court for leave to proceed IFP, Ezenwa is challenging the district court's determination that his appeal is not taken in good faith. *Baugh v. Taylor*, 117 F.3d 197, 202 (5th Cir. 1997).

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

No. 25-20314

“This court must examine the basis of its jurisdiction, on its own motion, if necessary.” *Mosley v. Cozby*, 813 F.2d 659, 660 (5th Cir. 1987). An untimely notice of appeal in a civil case deprives this court of jurisdiction. *Bowles v. Russell*, 551 U.S. 205, 213-14 (2007). Because Ezenwa did not file a timely notice of appeal from the district court’s judgment dismissing his complaint, this court lacks jurisdiction over the instant appeal. *See id.*; FED. R. APP. P. 4(a)(1)(A).

Accordingly, the appeal is DISMISSED for lack of jurisdiction. The IFP motion is DENIED as moot.