

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

March 9, 2026

Lyle W. Cayce
Clerk

No. 25-20438

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

MARC ANTHONY HILL,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:17-CR-7-1

Before STEWART, WILLETT, and WILSON, *Circuit Judges.*

PER CURIAM:*

Marc Anthony Hill, federal prisoner # 18512-479, moves for leave to proceed in forma pauperis (IFP) in an appeal from the denial of a motion requesting the unsealing of transcripts and wiretap evidence in his 28 U.S.C. § 2255 proceeding. By moving this court for leave to proceed IFP, Hill is challenging the district court's implicit determination that his appeal is not taken in good faith. *See Baugh v. Taylor*, 117 F.3d 197, 202 (5th Cir. 1997).

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

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“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). Generally, our jurisdiction is limited to the review of “final orders, qualified interlocutory orders, and collateral orders.” *Goodman v. Harris Cnty.*, 443 F.3d 464, 467 (5th Cir. 2006). Discovery orders are generally not appealable. *Id.* Here, Hill seeks to appeal the denial of a discovery order in his pending § 2255 proceeding. We lack jurisdiction to review that ruling. *Id.* at 467-69.

Accordingly, we DISMISS the appeal for lack of jurisdiction. Hill’s motion to proceed IFP is DENIED as moot.