

United States Court of Appeals
for the Fifth Circuit

No. 25-50182

United States Court of Appeals
Fifth Circuit

FILED

September 18, 2025

Lyle W. Cayce
Clerk

JORGE L. QUINTANA, SR.,

Plaintiff—Appellant,

versus

RAYMOND RAMOS; MARIA C. RAMOS,

Defendants—Appellees.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 5:24-CV-949

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

PER CURIAM:*

Jorge L. Quintana, Sr., proceeding pro se, filed a complaint in the district court claiming that his former homestead located in Castroville, Texas, was exempt from bankruptcy proceedings but was nevertheless fraudulently sold to the defendants by the bankruptcy trustee. The district court dismissed Quintana's complaint as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B), and it denied his motion for reconsideration. Quintana

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

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moves this court for leave to proceed in forma pauperis (IFP) on appeal, which constitutes a challenge to the district court's certification that any appeal would not be taken in good faith because he will not present a nonfrivolous appellate issue. *See Baugh v. Taylor*, 117 F.3d 197, 202 (5th Cir. 1997).

Before this court, Quintana maintains that a March 7, 2019 order by the bankruptcy court demonstrates that the Texas property in question was exempt from the bankruptcy proceedings and that he is the rightful owner of the property. Quintana, however, fails to challenge the district court's decision that his complaint had no legal basis since his allegations misrepresented the bankruptcy proceedings and, in any event, he could not collaterally challenge those proceedings. *See Matter of Baudoin*, 981 F.2d 736, 739 (5th Cir. 1993). Accordingly, he fails to present a nonfrivolous issue with respect to the district court's dismissal of his complaint as frivolous. *See Yohey v. Collins*, 985 F.2d 222, 224-25 (5th Cir. 1993); *Brinkmann v. Dallas Cnty. Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987). Similarly, Quintana's conclusory assertion that the district court's text orders violated his due process rights is insufficient to raise a nonfrivolous issue for appeal. *See Fehlhaber v. Fehlhaber*, 681 F.2d 1015, 1027 (5th Cir. 1982).

Because Quintana fails to show that his appeal will involve a nonfrivolous issue, his motion to proceed IFP is DENIED, and the appeal is DISMISSED as frivolous. *See Baugh*, 117 F.3d at 202 n.24; *Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983); 5TH CIR. R. 42.2.