

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

September 16, 2026

No. 25-50530

Lyle W. Cayce
Clerk

IN THE MATTER OF JORGE LUIS QUINTANA, SR. and LIBERTAD
QUINTANA,

Debtors,

JORGE L. QUINTANA, SR.,

Appellant,

versus

JOHN PATRICK LOWE,

Appellee,

Appeal from the United States District Court
for the Western District of Texas
USDC No. 5:24-CV-997

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

PER CURIAM:*

Jorge L. Quintana, Sr., seeks to proceed in forma pauperis (IFP) on appeal from the district court's order affirming the bankruptcy court's denial of his motion to reopen his bankruptcy proceedings. Quintana's IFP motion

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

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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 does not challenge the district court's determinations that he was prohibited from collaterally challenging the underlying final bankruptcy orders under the doctrine of res judicata, *see Matter of Baudoin*, 981 F.2d 736, 739 (5th Cir. 1993), or that his arguments are statutorily moot under 11 U.S.C. § 363(m) and factually incorrect since the bankruptcy proceedings indicate that his former two homesteads were not exempt per the March 7, 2019 bankruptcy order. Accordingly, Quintana fails to present a nonfrivolous issue with respect to the district court's decision affirming the bankruptcy court's order. *See Brinkmann v. Dallas Cnty. Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987).

We do not consider Quintana's arguments, raised for the first time on appeal, surrounding an unrelated bankruptcy proceeding because they involve new evidence and facts not before the district court. *See Theriot v. Parish of Jefferson*, 185 F.3d 477, 491 n.26 (5th Cir. 1999). His allegations of criminal misconduct on the part of a Clerk's Office employee pertaining to the filing of an order issued by the bankruptcy court for the Middle District of Florida into the record are nonsensical and wholly frivolous.

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. His motion to reverse the judgment of the district court is also DENIED.