

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-40842
Conference Calendar

RODNEY JAMES DILWORTH,

Plaintiff-Appellant,

versus

FNU VANCE, Officer; S. SIMON,
Officer; P. JOHNSON, Officer;
T. BOOTHER, Officer; FNU CUNDIFF,
Officer; JERRY BALLARD, Officer;
ROBERT RHODES, Officer; JOHN DOES,
Officers;

Defendants-Appellees.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 4:94-CV-275

December 13, 2000

Before DAVIS, STEWART, and PARKER, Circuit Judges.

PER CURIAM:*

Rodney James Dilworth, Texas inmate # 632515, appeals the take-nothing judgment in his civil rights suit filed pursuant to 42 U.S.C. § 1983. Dilworth had at least three "strikes" within the meaning of 28 U.S.C. § 1915(g) when he filed the instant notice of appeal, and he did not argue that he was under imminent danger of serious physical injury. Dilworth is therefore barred

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

from proceeding in forma pauperis (IFP) under 28 U.S.C. § 1915(g). Accordingly, the district court's order allowing Dilworth to proceed IFP on appeal is RESCINDED as improvidently granted. Dilworth has fifteen days to pay the full \$105 filing fee or risk dismissal of his appeal for want of prosecution. See 5TH CIR. R. 42.3.1.2.