

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 00-50488  
Summary Calendar

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STEVEN J. INGRAM,

Plaintiff-Appellant,

versus

SOUTHWESTERN BELL TELEPHONE CO.,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. A-00-CV-13-SS  
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April 19, 2001

Before EMILIO M. GARZA, STEWART and PARKER, Circuit Judges.

PER CURIAM:\*

Steven J. Ingram (Ingram) seeks leave to appeal *in forma pauperis* (IFP) the district court's judgment dismissing his action against Southwestern Bell Telephone Company. A movant for IFP on appeal must show that he is a pauper and that he will present a nonfrivolous issue on appeal. See Carson v. Polley, 689 F.2d 562, 586 (5th Cir. 1982). Ingram argues that the district court erred in dismissing his complaint under Fed. R. Civ. P. 12(b)(6). The district court did not err. See 18

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

U.S.C. §§ 2519 and 2704. Because Ingram has not demonstrated that he will present a nonfrivolous issue on appeal, his appeal is DISMISSED and his motion for IFP is DENIED. See 5th Cir. 42.2; Howard v. King, 707 F.2d 215, 220 (5th Cir. 1983).

APPEAL DISMISSED; MOTION DENIED.