

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 01-50951  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOSE LEON GONZALEZ-LONGORIA, also known as Juan Vela,  
also known as Alfred Martinez,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. SA-92-CR-65-1  
- - - - -

June 19, 2002

Before HIGGINBOTHAM, DAVIS, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:\*

Jose Leon Gonzalez-Longoria, federal prisoner #59761-079, has filed a motion for leave to proceed in forma pauperis ("IFP") on appeal. Our review of the record and pleadings indicates that Gonzalez-Longoria's appeal from the denial of his motion for modification of an imposed sentence lacks arguable merit, and the district court did not err in finding that the instant appeal was not taken in good faith. See Howard v. King, 707 F.2d 215,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

219-20 (5th Cir. 1983); see also 28 U.S.C. § 1915(a)(3).

Accordingly, Gonzalez-Longoria's motion for leave to proceed IFP on appeal is DENIED, and his appeal is DISMISSED as frivolous.

See 5TH CIR. R. 42.2.

IFP MOTION DENIED; APPEAL DISMISSED AS FRIVOLOUS.