

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

FILED

June 21, 2005

Charles R. Fulbruge III
Clerk

No. 04-20787
Conference Calendar

DARRELL J. HARPER,

Plaintiff-Appellant,

versus

CITY OF HOUSTON,

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:04-CV-3079

Before WIENER, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

Darrell J. Harper filed a civil complaint against the City of Houston for \$10,000,000, alleging unspecified "racial profiling" and "corruption." The district court dismissed his complaint because it violated an injunction entered December 23, 2002. Harper has filed a motion in this court seeking leave to proceed in forma pauperis (IFP) on appeal.

Harper's financial affidavit establishes that he is unable to pay the costs of his appeal without undue hardship or

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

deprivation of life's necessities. See Adkins v. E.I. Du Pont de Nemours & Co., 335 U.S. 331, 339 (1948). However, Harper does not address the reason for the district court's dismissal of his complaint, and Harper has failed to establish a nonfrivolous ground for appeal. See Carson v. Polley, 689 F.2d 562, 586 (5th Cir. 1982); 28 U.S.C. § 1915(a)(3). His IFP motion is DENIED. As the appeal contains no nonfrivolous issues, it is DISMISSED. Howard v. King, 707 F.2d 215, 220 (5th Cir. 1983); 5TH CIR. R. 42.2. Harper is warned that any future frivolous filings will subject him to sanctions.

MOTION DENIED; APPEAL DISMISSED; SANCTION WARNING ISSUED.