

January 12, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-50349
Summary Calendar

VALERIE FIELDS,

Plaintiff-Appellant,

versus

SOUTHWEST AIRLINES COMPANY,

Defendant-Appellee.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 5:03-CV-327

Before JONES, BARKSDALE, and PRADO, Circuit Judges.

PER CURIAM:*

Valerie Fields moves to proceed in forma pauperis (IFP) on appeal. Southwest Airlines Company ("Southwest") has moved to strike her appellate brief and to dismiss the appeal. Fields has in turn moved for permission to file an out of time reply to Southwest's motion.

This court may authorize Fields to proceed IFP on appeal if she is unable to pay the costs of the appeal and the appeal is taken in good faith, i.e., the appeal presents nonfrivolous

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

issues. FED. R. APP. P. 24(a)(1); see Holmes v. Hardy, 852 F.2d 151, 153 (5th Cir. 1988). Fields has failed to demonstrate that her appeal would involve nonfrivolous issues. Her motion for IFP is therefore denied and her appeal dismissed. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983); 5TH CIR. R. 42.2. All outstanding motions are denied as moot.

IFP DENIED; APPEAL DISMISSED; ALL OUTSTANDING MOTIONS DENIED.