

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 93-2668
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ROBERT EDWIN BRUNK, JR.,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. CR-H-86-147-7

- - - - -
(May 17, 1994)

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

BY THE COURT:

Robert Edwin Brunk, Jr., moves for leave to appeal in forma pauperis (IFP) the district court's denial of his post-conviction Fed. R. Crim. P. 32(c)(3)(D) motion to correct his presentence investigation report. The Rule 32 motion was properly denied because the district court had no jurisdiction over it. United States v. Engs, 884 F.2d 894, 895 (5th Cir. 1989). The fact that one district court judge may have granted a similar motion by a different individual is irrelevant here. See Ruff v. Bossier Medical Center, 952 F.2d 138, 140 (5th Cir. 1992).

Brunk has no non-frivolous issue on appeal. The motion for IFP is DENIED, and the appeal is DISMISSED. Carson v. Polley, 689 F.2d 562, 586 (5th Cir. 1982); 5th Cir. R. 42.2.