

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-10538
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

NORIK GHADIMI,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:94-CV-1463-T
- - - - -

February 29, 1996

Before GARWOOD, JONES, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

Norik Ghadimi moves this court for leave to appeal in forma pauperis (IFP) from the district court's order dismissing his motion under 28 U.S.C. § 2255. Ghadimi asserted that the district court clearly erred in calculating the amount of opium involved in the offense and that no presentence investigation report was prepared. Ghadimi fails to raise a nonfrivolous issue on appeal. Ghadimi's motion for leave to proceed IFP is DENIED. Because the appeal is frivolous, it is DISMISSED.

APPEAL DISMISSED. See 5th Cir. R. 42.2.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.