

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-20655
Summary Calendar

ELLAR PERRY SIMPSON,

Plaintiff-Appellant,

versus

CHARLES RAY TAYLOR;
HOUSTON INDEPENDENT SCHOOL DISTRICT,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-93-CV-2723
- - - - -

May 22, 1996

Before JOLLY, JONES and STEWART, Circuit Judges.

PER CURIAM:*

Ellar Perry Simpson has filed motions to proceed in forma pauperis ("IFP") on appeal, for transcripts at government expense, and for appointment of counsel.

Because Simpson's proposed issues for appeal concern only the credibility of witnesses, her appeal is frivolous. See Martin v. Thomas, 973 F.2d 449, 453 n.3 (5th Cir. 1992) (an

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

appellate court may not weigh conflicting evidence or determine the credibility of witnesses); Jackson v. Dallas Police Dep't, 811 F.2d 260, 261 (5th Cir. 1986).

Simpson's motion to proceed IFP is DENIED and her appeal is DISMISSED as frivolous. 5th Cir. R. 42.2.

Simpson's motion for transcripts at government expense and for appointment of counsel are DENIED as moot.