

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-30157
Summary Calendar

MELVIN WASHINGTON,

Plaintiff-Appellant,

versus

ROBERT J. BARNES, Doctor,
ET AL.,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. 94-CV-1706
- - - - -

(May 23, 1995)

Before KING, JOLLY and DeMOSS, Circuit Judges.

PER CURIAM:*

Melvin Washington's motion to proceed in forma pauperis on appeal from the district court's judgment dismissing his civil rights action pursuant to 28 U.S.C. § 1915(d) is DENIED. Washington has not provided a factual basis to support his allegations that prison officials retaliated against him for exercising his right of access to the courts or to complain of official misconduct. See Gibbs v. King, 779 F.2d 1040, 1046 (5th Cir.), cert. denied, 476 U.S. 1117 (1986); Whittington v.

* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

Lynaugh, 842 F.2d 818, 819 (5th Cir.), cert. denied, 488 U.S. 840 (1988).

On appeal, Washington can present no legal points arguable on their merits, and the appeal is frivolous. See Howard v. King, 707 F.2d 215, 220 (5th Cir. 1983). Because the appeal is frivolous, it is DISMISSED. See 5th Cir. Rule 42.2.