

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-40861
USDC No. CR-C-89-125-1

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CHARLES DANIEL DEARING, JR.,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
- - - - -

January 31, 1996

Before JOLLY, JONES and STEWART, Circuit Judges.

PER CURIAM:*

Charles Dearing, Jr., requests leave to appeal in forma pauperis (IFP) the district court's denial of his motion to emigrate upon release from custody. Because Dearing's appeal fails to present a nonfrivolous issue, his motion for IFP is DENIED. See Jackson v. Dallas Police Dep't, 811 F.2d 260, 261 (5th Cir. 1986). The appeal is DISMISSED.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.