

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-50447
Summary Calendar

LESLIE RAY FOSTER,

Plaintiff-Appellant,

versus

JACK M. GARNER, Warden; JAMES EASLEY, Sgt.;
FLETCHER SMITH, Co.3; BRENDA BRETEY,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. W-93-CV-115
- - - - -
February 9, 1996

Before KING, SMITH, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Leslie Ray Foster requests leave to appeal in forma pauperis (IFP) the district court's denial of his motion for the appointment of counsel in his 42 U.S.C. § 1983 case. Because Foster'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. 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* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.