

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-11009
Summary Calendar

ERIC ADAMS,

Plaintiff-Appellant,

versus

JOE DONALDSON; SHIRLEY HAINES; DARWIN SANDERS;
RUDY SANCHEZ; ROBERT WHITE; KEITH REAGANS; JAMES
FRAWNER; ROBERT CHANCE; STEPHEN THOMPSON; MICHAEL
SAVERS; ROCHELLE MCKINNEY; MARIANNE MUNSELLE; JOE
NUNN; DARRELL SHAPLEY; ALFRED WILSON; TERRY
DITTBERNER,

Defendants-Appellees.

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Appeal from the United States District Court
for the Northern District of Texas
USDC No. 2:96-CV-121
- - - - -

May 21, 1997

Before HIGGINBOTHAM, WIENER and BENAVIDES, Circuit Judges.

PER CURIAM:*

Eric Adams, a Texas prisoner (# 626162), requests permission to proceed in forma pauperis ("IFP") in the appeal of the dismissal of his 42 U.S.C. § 1983 action. On January 9, 1997, Chief Judge Politz ordered Adams either to pay the \$105 filing fee or to file financial documents required by the Prison

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Litigation Reform Act of 1995 ("PLRA"). Among the required financial documents was a certified statement of his trust-fund account "for the six-month period immediately preceding the date of the filing of [his] notice of appeal, August 15, 1996." Although Adams timely responded, the "In-Forma-Pauperis Data" form submitted by Adams does not comply with the PLRA requirements because it contains information regarding his prison trust account for the incorrect six-month period. See § 1915(a), (b). Accordingly, Adams' motion for leave to proceed IFP on appeal is DENIED, and his appeal is dismissed for want of prosecution. See 5th Cir. R. 42.3. Should Adams wish to reinstate his appeal, he is instructed to pay the \$105 filing fee to the clerk of the district court within 30 days from the date of this order.

Adams' "Motion for Judicial Notice" is DENIED.

MOTION FOR LEAVE TO BE RECONSIDERED GRANTED; MOTION TO PROCEED IFP DENIED; APPEAL DISMISSED.