

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-10046
Conference Calendar

KENNETH J. MALONE,

Plaintiff-Appellant,

versus

POTTER COUNTY COMMISSIONERS ET AL.,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 2:94-CV-78
- - - - -

February 11, 1998

Before SMITH, EMILIO M. GARZA, and DeMOSS, Circuit Judges.

BY THE COURT:

Kenneth J. Malone, Texas prisoner # 662533, sought to appeal the district court's dismissal of his 42 U.S.C. § 1983 complaint for failure to comply with orders of the court. This court directed Malone to file a fully documented motion for leave to proceed in forma pauperis on appeal with the district court. The court warned Malone that if he did not file the proper documents with the district court his appeal would be dismissed under 5TH CIR. R. 42.3 for failure to prosecute. Although Malone did make a submission to the district court, it was not a properly documented IFP motion as directed by the court. Consequently,

Malone's appeal is DISMISSED for want of prosecution in accordance with 5TH CIR. R. 42.3.

Malone has also filed an unsupported IFP motion, a motion to stay judgment pending appeal, a motion for appointment of counsel, and a motion to file a brief in excess of the page limitation with this court. All of these motions are hereby DENIED.