

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-10199
Summary Calendar

M.E. HALL, ET AL.,

Plaintiffs,

M.E. Hall,

Plaintiff-Appellant,

versus

ROBERT FRANCIS; SALLY
ZOE; OTHER UNKNOWN PERSONS;
JOHN DOE, 2; JOHN DOE, 3,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:96-CV-3131-D
- - - - -

September 3, 1998

Before DAVIS, WIENER and STEWART, Circuit Judges.

PER CURIAM:*

M.E. Hall seeks to proceed in forma pauperis (IFP) in the appeal of the dismissal of her civil rights complaint for lack of subject matter jurisdiction. "To proceed on appeal in forma pauperis, a litigant must be economically eligible, and his

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

appeal must not be frivolous." Jackson v. Dallas Police Dep't, 811 F.2d 260, 261. (5th Cir. 1986).

Hall's complaint failed to allege facts sufficient to show that the defendants deprived Hall of her rights under color of state law or that their alleged misconduct was the result of a racially discriminatory intent. Therefore, the complaint failed to state a constitutional violation. See 42 U.S.C. §§ 1981, 1983, and 1985.

Because Hall fails to show that she will raise a nonfrivolous issue on appeal, her motion to proceed IFP is DENIED. See Jackson, 811 F.2d at 261. Because the appeal is frivolous, it is DISMISSED. 5th Cir. R. 42.2.

IFP DENIED. APPEAL DISMISSED.