

REVISED OPINION

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-30497
Conference Calendar

DENNIS RAY PADEN,

Plaintiff-Appellant,

versus

KATHLEEN M. HAWK, KEITH HALL,
VIDRINE, DR., FRED GILLEY,
MICHAEL DAVIS, ROBERT D. HOLMES,
ELWIN, DR., TOM BOYETTE, WALKER, DR.,
TURNBO, MR.,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 96-CV-708
- - - - -

March 16, 1998

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

PER CURIAM:*

We *sua sponte* withdraw our prior opinion of February 10, 1998, and substitute the instant opinion.

Dennis Ray Paden, federal prisoner # 47044-079, is BARRED from proceeding in forma pauperis (IFP) under the Prison

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Litigation Reform Act of 1995 (PLRA) because, on at least three prior occasions while incarcerated, Paden has brought a civil action or appeal in a United States court that was dismissed as frivolous. See Paden v. Hawk, No. 96-10660 (5th Cir. Aug. 22, 1996)(unpublished); Paden v. Hall, No. 95-CV-02007 (W.D. La. May 16, 1996)(unpublished); Paden v. Holloman, No. 93-CV-01016 (S.D. Tx. May 11, 1993) (unpublished); see 28 U.S.C. § 1915(g); Adepegba v. Hammons, 103 F.3d 383, 388 (5th Cir. 1996).

Accordingly, Paden's IFP status is DECERTIFIED, and he may not proceed IFP in any civil action or appeal filed while he is in prison unless he is under imminent danger of serious physical injury. 28 U.S.C. § 1915(g). The appeal is DISMISSED.

Paden has 15 days from the date of this opinion to pay the full appellate filing fee of \$105 to the clerk of the district court, should he wish to reinstate his appeal.

MOTION FOR APPOINTMENT OF COUNSEL DENIED; IFP DECERTIFIED;
APPEAL DISMISSED.