

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 97-40037  
Summary Calendar

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DON RAY WHITE,  
Plaintiff-Appellant,

versus

MICHAEL O'GUIN, Captain at Telford Unit;  
JEFF CALFEE, Officer, Lieutenant of Telford Unit;  
JEFFREY CATOL, CO III of Telford Unit,  
Defendant-Appellees.

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Appeal from the United States District Court  
for the Eastern District of Texas  
(5:96-CV-125)

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May 6, 1998

Before JOHNSON, JONES, and DeMOSS, Circuit Judges.

PER CURIAM:\*

Don Ray White, Texas prisoner #512713, is BARRED from proceeding in forma pauperis (IFP) under the Prison Litigation Reform Act of 1995 (PLRA) because, on at least three prior occasions while incarcerated, White has brought an action or appeal in a United States Court that was dismissed as frivolous.<sup>1</sup> See 28

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5th CIR.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

<sup>1</sup>See White v. O'Connor, No. 96-50821 (5th Cir. February 21, 1997)(unpublished; appeal dismissed as frivolous); White v. Scott, No. 96-40394 (5th Cir. August 1, 1996)(unpublished; appeal of

U.S.C. § 1915(g); Adepegba v. Hammons, 103 F.3d 383, 388 (5th Cir. 1996). Accordingly, White'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. See 28 U.S.C. § 1915(g). The appeal is DISMISSED.

White has fifteen (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.

IFP DECERTIFIED; APPEAL DISMISSED.

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dismissal for frivolousness dismissed as frivolous counts as two strikes).