

June 21, 2006

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 05-51427  
Conference Calendar

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DANNY WORLEY,

Petitioner-Appellant,

versus

DENNIS SMITH, Warden, FCI La Tuna,

Respondent-Appellee.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 3:05-CV-258  
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Before STEWART, DENNIS, and OWEN, Circuit Judges.

PER CURIAM:\*

Danny Worley, federal prisoner # 18846-051, has filed a motion in this court to proceed in forma pauperis (IFP) in the appeal of the dismissal of his 28 U.S.C. § 2241 petition. Worley's claim that 18 U.S.C. § 3624(b) required the Bureau of Prisons to award him 54 days of credit, in advance, for each year of imprisonment that the district court imposed and that he has been denied a total of 68.5 days of good-time credit is foreclosed. See Moreland v. Federal Bureau of Prisons, 431 F.3d 180, 186 (5th Cir. 2005), cert. denied, 126 S. Ct. 1906 (2006).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Accordingly, Worley's motion for leave to proceed IFP is denied, and his appeal is dismissed as frivolous. See Baugh v. Taylor, 117 F.3d 197, 202 n.24 (5th Cir. 1997); 5TH CIR. R. 42.2. His motion for the appointment of counsel is denied as moot.

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