

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-60169
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

GEORGE ALLRED,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Northern District of Mississippi
USDC No. 3:96-CV-049-S
- - - - -

October 22, 1997

Before POLITZ, Chief Judge, and WIENER and DENNIS, Circuit Judges.

PER CURIAM:*

George Allred, federal prisoner # 08556042, seeks to proceed in forma pauperis (IFP) on appeal from the judgment of the district court dismissing his 28 U.S.C. § 2255 motion with prejudice. Allred's contentions that 1) counsel was ineffective in failing to argue that the Government violated the anti-shuttling provision of the Interstate Agreement on Detainers Act (IADA) and 2) that the district court violated the Due Process Clause by not adhering to the anti-shuttling policy present no

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

legal points arguable on their merits. See Howard v. King, 707 F.2d 215, 220 (5th Cir. 1983). The provision did not apply to Allred because Mississippi had not enacted the IADA. See Birdwell v. Skeen, 983 F.2d 1332, 1335 (5th Cir. 1993). The motion to proceed IFP on appeal is DENIED. 28 U.S.C. § 1915(a); Fed. R. App. P. 24(a). The remaining motions are also DENIED. Because the appeal is frivolous, it is DISMISSED. See 5th Cir. Rule 42.2.