

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-10802
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

SHELLYE LYNNE BURLISON,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:97-CR-170-ALL-G
- - - - -

May 7, 1999

Before JOLLY, SMITH, and WIENER, Circuit Judges.

PER CURIAM:*

Shellye Burlison (federal prisoner #30712-077) has filed a motion requesting leave to appeal in forma pauperis (IFP) the district court's order denying her motion brought under Federal Rule of Civil Procedure 60(b)(6). This court may authorize Burlison to proceed IFP on appeal only if she is economically eligible and her appeal is not frivolous. Jackson v. Dallas Police Dep't, 811 F.2d 260, 261 (5th Cir. 1986). After reviewing the record, we find no issue of arguable merit. Accordingly, we

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

deny IFP and dismiss the appeal as frivolous. See United States v. Hatten, 167 F.3d 884, 885-87 (5th Cir. 1999); Howard v. King, 707 F.2d 215, 220 (5th Cir. 1983); 5th Cir. R. 42.2.

IFP DENIED; APPEAL DISMISSED AS FRIVOLOUS.