

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 99-10013  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ALONZO RICHARD, also known as  
Tony Sinclair,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:92-CR-254-H  
- - - - -

August 26, 1999

Before KING, Chief Judge, and JOLLY and DAVIS, Circuit Judges.

PER CURIAM:\*

Alonzo Richard, federal prisoner # 23088-077, seeks leave to proceed in forma pauperis ("IFP") on appeal. Richard has failed to raise any nonfrivolous issues for appeal. See United States v. Boutwell, 896 F.2d 884, 889-90 (5th Cir. 1990)(one-judge order). Richard's motion requesting concurrence form was actually a successive 28 U.S.C. § 2255 motion which the district court was without jurisdiction to consider without our authorization. Accordingly, Richard's motion to proceed IFP on

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

appeal is DENIED. Because Richard's appeal is frivolous, it is DISMISSED. See 5TH CIR. R. 42.2. Richard's motion to supplement the record is DENIED.

IFP MOTION DENIED; MOTION TO SUPPLEMENT RECORD DENIED;  
APPEAL DISMISSED AS FRIVOLOUS.