

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-40260
Summary Calendar

SAMUEL SAMPAYO, JR.,

Plaintiff-Appellant,

versus

MICHAEL S. BELL, Captain; BRIAN W. RODEEN, Major;
HINES, Correctional Officer III; ROBERT BUCKLEY, Lieutenant;
DONNA ALLEN, Lieutenant; MORRIS DODSON, Captain; P. LANG;
GARY L. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL
JUSTICE, INSTITUTIONAL DIVISION; THELMA ALEJANDRO,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. C-95-CV-634

October 7, 1999

Before JOLLY, WIENER, and DENNIS, Circuit Judges.

PER CURIAM:*

Samuel Sampayo, Texas prisoner # 628076, seeks to appeal the magistrate judge's orders denying Sampayo's three motions requesting the transcripts of his trial. This court has a duty, *sua sponte*, to determine whether it has appellate jurisdiction. Mosley v. Cozby, 813 F.2d 659, 660 (5th Cir. 1987). Sampayo's notice of appeal, filed on February 25, 1999, was filed more than 30 days after the date of entry of last order, January 14, 1999. Fed. R. App. P. 4(a). Therefore, this court lacks appellate jurisdiction, and the appeal is DISMISSED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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