

United States Court of Appeals

Fifth Circuit

FILED

July 26, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-41305
Summary Calendar

WILLIAM J. DOCKERAY,

Plaintiff-Appellant,

versus

KELLY DIXION, Assistant Warden; UNKNOWN NO. 3; FNU SIMPSON; M. WOOTEN; FNU HARMON, Lieutenant; UNKNOWN NO. 4; FNU GARCIA, Mailroom Supervisor,

Defendants-Appellees.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 6:03-CV-532-ALL-JKG

Before JONES, Chief Judge, DeMOSS, and PRADO, Circuit Judges.

PER CURIAM:*

William J. Dockeray, Texas prisoner #563359, has been barred from proceeding in forma pauperis ("IFP") under 28 U.S.C. § 1915(g) because, on at least three prior occasions while incarcerated, he has brought an action or appeal in a court of the United States that was dismissed as frivolous or for failure to state a claim upon which relief could be granted. See Dockeray v. Ozz, No. 04-40266 (5th Cir. Aug. 18, 2004)

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

(unpublished). This appeal was therefore improvidently docketed as if Dockeray were proceeding IFP on appeal.

Accordingly, Dockeray's IFP status is DECERTIFIED, and the appeal is DISMISSED. Dockeray has 15 days from the date of this opinion to pay the full appellate filing fee to the clerk of the district court, should he wish to reinstate his appeal.

IFP DECERTIFIED; APPEAL DISMISSED.