

United States Court of Appeals
Fifth Circuit

FILED

December 12, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 06-40038
Conference Calendar

CHRISTOPHER JOHNSON,

Plaintiff-Appellant,

versus

ANN ROGERS,

Defendant-Appellee.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 4:05-CV-397

Before KING, WIENER, and OWEN, Circuit Judges.

PER CURIAM:*

Christopher Johnson, prisoner # 842458 at the Monroe, Washington, Correctional Center, 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 Johnson v. Albert, No. C05-1762TSZ-MJB, 1-2 (W.D. Wash. Nov. 5, 2005) (unpublished). This appeal

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

was therefore improvidently docketed as if Johnson were proceeding IFP on appeal.

Accordingly, Johnson's IFP status is decertified, and the appeal is dismissed. Johnson 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.