

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

January 12, 2010

Charles R. Fulbruge III
Clerk

No. 09-10662

Summary Calendar

HARVEY LEROY SOSSAMON, III,

Plaintiff-Appellant,

versus

GILBERT CAMPUZANO,

Regional Director Texas Department of Criminal Justice Region VI;

TERRY D. TUCKER, Assistant Warden Montford Unit;

GEORGE ALLEN, Assistant Warden Montford Unit;

GUY SMITH, Medical Liasion Officer;

TERESA ZEPEDA, Nurse; JANE DOE, Nurse; KARIN FRANKLIN, Nurse;

LOU ANN BOLING, Nurse; JANE DOE RICHARDSON, Nurse;

MARION O. WILLIAMS, Hospital Administrator;

JANE DOE ENGLISH, Correctional Officer,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Texas
No. 5:08-CV-149

Before DAVIS, SMITH, and DENNIS, Circuit Judges.

PER CURIAM:*

Harvey Sossamon, III, Texas prisoner # 120297, 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 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 *See Sossamon v. Cook*, No. 07-10429 (5th Cir. Feb. 20, 2008) (unpublished); *Sossamon v. Livingston*, No. A-08CA-465-SS (W.D. Tex. Nov. 24, 2008) (unpublished). The district court improvidently granted Sossamon leave to proceed IFP on appeal.

Accordingly, Sossamon’s IFP status is decertified, and the appeal is dismissed. Sossamon 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. Sossamon’s request for appointment of counsel is denied.

IFP DECERTIFIED; APPEAL DISMISSED; MOTION FOR APPOINTMENT OF COUNSEL DENIED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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