

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

United States Court of Appeals
Fifth Circuit

FILED

December 15, 2015

Lyle W. Cayce
Clerk

No. 15-10630
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

MAURICE ANDERSON,

Defendant-Appellant

Appeal from the United States District Court
for the Northern District of Texas, Fort Worth
USDC No. 4:06-CR-64-1

Before GRAVES, HIGGINSON, and COSTA, Circuit Judges.

PER CURIAM:*

Maurice Anderson, federal prisoner # 34064-177, has moved for leave to proceed in forma pauperis (IFP) on appeal from the district court's denial of his 18 U.S.C. § 3582(c)(2) motion for a sentence reduction based upon Amendment 782 to the Sentencing Guidelines. *See* 28 U.S.C. § 1915(a)(1); *see also* FED. R. APP. P. 24(a).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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Under § 3582(c)(2), a defendant's sentence may be modified if he was sentenced to a term of imprisonment based on a sentencing range that subsequently was lowered by the Sentencing Commission. Anderson has not shown that the district court erred in concluding that his sentencing range was not lowered by Amendment 782.

Anderson's appeal does not present a nonfrivolous issue and has not been brought in good faith. *See Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983). The motion for leave to proceed IFP is DENIED, and the appeal is DISMISSED as frivolous. *See Baugh v. Taylor*, 117 F.3d 197, 202 n.24 (5th Cir. 1997).