

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

No. 16-40058

United States Court of Appeals
Fifth Circuit

FILED

April 7, 2017

Lyle W. Cayce
Clerk

VERNON KING, JR.,

Plaintiff-Appellant

v.

BRYAN COLLIER; STEVEN N. RICH; GENE A. KROLL; CORDLE A. THOMAS, JR.; KEITH GORSUCH; SHARON D. ALLEN; BRIDGHETT G. EDDIE,

Defendants-Appellees

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 1:10-CV-36

Before JONES, SMITH, and DENNIS, Circuit Judges.

PER CURIAM:*

Vernon King, Jr., Texas prisoner # 590316, filed a 42 U.S.C. § 1983 complaint in which he alleged an incident at the Stiles Unit of the Texas Department of Criminal Justice - Institutional Division. King moves to proceed in forma pauperis to appeal the magistrate judge's order denying his motion for appointment of counsel. This court must examine the basis of its

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 16-40058

jurisdiction, sua sponte, if necessary. *Mosley v. Cozby*, 813 F.2d 659, 660 (5th Cir. 1987). We lack jurisdiction to address this appeal. *See Donaldson v. Ducote*, 373 F.3d 622, 624 (5th Cir. 2004); *see also Colburn v. Bunge Towing, Inc.*, 883 F.2d 372, 379 (5th Cir. 1989). Accordingly, we dismiss the appeal and deny King's motion as moot.

APPEAL DISMISSED; MOTION DENIED AS MOOT.