

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

United States Court of Appeals
Fifth Circuit

FILED

February 14, 2020

Lyle W. Cayce
Clerk

No. 19-30425
Summary Calendar

THE KING/MOROCCO,

Plaintiff-Appellant

v.

MATT BOWERS NISSAN,

Defendant-Appellee

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 2:18-CV-8957

Before JONES, HIGGINSON, and OLDHAM, Circuit Judges.

PER CURIAM:*

The King/Morocco moves for leave to proceed in forma pauperis (IFP) in this appeal. By moving this court for leave to proceed IFP, The King/Morocco is challenging the district court's determination that his appeal is not taken in good faith. *Baugh v. Taylor*, 117 F.3d 197, 202 (5th Cir. 1997).

"This court must examine the basis of its jurisdiction, on its own motion, if necessary." *Mosley v. Cozby*, 813 F.2d 659, 660 (5th Cir. 1987). We do not

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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. 19-30425

have jurisdiction to address The King/Morocco's appeal of the magistrate judge's order revoking his IFP status. *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). In addition, an untimely notice of appeal in a civil case deprives this court of jurisdiction. *Bowles v. Russell*, 551 U.S. 205, 213-14 (2007). Because The King/Morocco did not file a timely notice of appeal, this court lacks jurisdiction over the instant appeal. *See id.*; FED. R. APP. P. 4(a)(1)(A).

Accordingly, the appeal is DISMISSED for lack of jurisdiction. The IFP motion is DENIED as moot. King is WARNED that future frivolous, repetitive, or otherwise abusive filings will invite the imposition of sanctions, which may include dismissal, monetary sanctions, and restrictions on his ability to file pleadings in this court and any court subject to this court's jurisdiction.