THE UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

96-1726

GEORGE K. KEENER

v.

PENNSYLVANIA BOARD OF PROBATION AND PAROLE;
ROBERT WIENCKOSKI

George K. Keener,
Appellant

On Appeal from the United States District Court for the Eastern District of Pennsylvania (D.C. No. 96-cv-05075)

Before: Sloviter, <u>Chief Judge</u>, and Stapleton and Cowen, <u>Circuit</u>
<u>Judges</u>

JUDGMENT

This cause came on to be heard on the record from the United States District Court for the Eastern District of Pennsylvania and was submitted pursuant to Third Circuit LAR 34.1(a) October 2, 1997.

On consideration whereof, it is now here ordered and adjudged by this Court that the appellant's motions for leave to proceed on appeal in forma pauperis and for appointment of counsel are denied and the appeal is dismissed without prejudice to the appellant's right to reinstate his action in the District Court upon payment of full docketing fees. All of the above in accordance with the opinion of this Court.

Chief Deputy Clerk

Dated: October 17, 1997

RECEIVED AND FILED

P. DOUGLAS SISK,

Page 2

Certified as a true copy and issued in lieu of a formal mandate on November 10, 1997

Teste:

Clerk, United States Court of Appeals for the Third Circuit