

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-30858
(Summary Calendar)

WILLIAM D. TREEBY; STONE, PIGMAN, WALTHER, WITMANN & HUTCHINSON,
L.L.P.,

Plaintiffs-Appellees,

v.

JAMES E. AYMOND,

Defendant-Appellant,

DENNIS P. NEYLAND,

Plaintiff-Appellee,

v.

JAMES E. AYMOND,

Defendant-Appellant.

Appeals from the United States District Court
for the Eastern District of Louisiana
(CA-00-1377)

February 28, 2001

Before HIGGINBOTHAM, WIENER, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Defendant-Appellant James A. Aymond appeals the district court's grant of the permanent injunction sought by Plaintiff-Appellees Dennis P. Neyland, William D. Treeby, and Treeby's law firm Stone, Pigman, Walther, Witmann & Hutchinson, L.L.P.L. (collectively "Plaintiffs-Appellees"). The district court enjoined Aymond, pursuant to 28 U.S.C. § 2283, from taking any further action to prosecute his pending appeal in his state derivative action in Louisiana state court against Plaintiffs-Appellees. Having carefully and fully considered the record and the briefs of counsel as well as the opinion of the district court, we are satisfied that the permanent injunction was properly granted, and we affirm the judgment of the district court for essentially the same reasons set forth in its comprehensive opinion.¹

AFFIRMED.

*Pursuant to 5th Cir. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

¹ Facially, Aymond's vexatious, contumacious, and frivolous appeal appears to warrant sanctions pursuant to Federal Rule of Appellate Procedure 38; however, inasmuch as Plaintiffs-Appellees have not sought sanctions, we refrain from doing so sua sponte.