

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-20064
Conference Calendar

ROQUE ARANDA,

Plaintiff-Appellant,

versus

CAPTAIN SIMPSON; HUNT, Sergeant; MICHAEL WILSON; D. DUKE;
SUBSTITUTE COUNSEL WYNNE UNIT,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-00-CV-3253

June 13, 2001

Before WIENER, DeMOSS, and DENNIS, Circuit Judges.

PER CURIAM:*

Roque Aranda, Texas prisoner # 805045, appeals the district court's dismissal of his 42 U.S.C. § 1983 complaint pursuant to 28 U.S.C. § 1915(g). Aranda has failed to brief the relevant issue, as he has provided neither argument nor authorities to show that the district court erred in dismissing his suit. See Yohey v. Collins, 985 F.2d 222, 224-25 (5th Cir. 1993).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Accordingly, this appeal is dismissed as frivolous. 5th Cir. R. 42.2.

The three-strikes provision of 28 U.S.C. § 1915(g) "prohibits a prisoner from proceeding IFP if he has had three actions or appeals dismissed for frivolousness, maliciousness, or failure to state a claim." Carson v. Johnson, 112 F.3d 818, 819 (5th Cir. 1997)(citing Adepegba v. Hammons, 103 F.3d 383, 385 (5th Cir. 1996)). Aranda has previously had at least five strikes against him. Aranda v. Key, No. 00-10849 (5th Cir. Feb. 14, 2001)(imposing 28 U.S.C. § 1915(g) bar); Aranda v. Shaw, No. 00-10844 (5th Cir. Feb. 14, 2001)(imposing 28 U.S.C. § 1915(g) bar); Aranda v. Millsaps, No. 99-11394 (5th Cir. Aug. 29, 2000). Additionally, Aranda has recently been reminded of the § 1915(g) bar in five other appeals which were before this court. See Aranda v. Cason, No. 00-10848 (5th Cir. Apr. 12, 2001); Aranda v. Wilson, No. 00-21035 (5th Cir. Apr. 12, 2001); Aranda v. Hirsch, No. 00-10850 (5th Cir. Apr. 12, 2001); Aranda v. Scott, No. 00-21129 (5th Cir. Apr. 12, 2001); Aranda v. Wilson, No. 00-20968 (5th Cir. Apr. 12, 2001). Aranda filed this appeal before the § 1915(g) bar was imposed. He is reminded that he may no longer proceed IFP in any civil action or appeal filed while he is incarcerated or detained in any facility unless he is under imminent danger of serious physical injury. See 28 U.S.C. § 1915(g).

APPEAL DISMISSED.