

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-40967
Conference Calendar

GILBERT HARRICE, Jr.,

Plaintiff-Appellant,

versus

MICHAEL D. HALL, Warden;
KELLY J. DIXON;
ROBERT A. BUCKLEY, Lieutenant;
JOSEPH D. LANG, SR.,

Defendants-Appellees.

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Appeal from the United States District Court
for the Southern District of Texas
USDC No. C-95-CV-560
- - - - -

April 17, 1996

Before DUHÉ, DeMOSS, & DENNIS, Circuit Judges.

PER CURIAM:*

Gilbert Horrice, Jr. appeals the district court's dismissal without prejudice, pursuant to 28 U.S.C. § 1915(d), of his 42 U.S.C. § 1983 action against prison officials Michael D. Hall, Warden; Kelly J. Dixon; Robert A. Buckley, Lieutenant; and Joseph D. Lang, Sr. Horrice alleged that the defendants confiscated and destroyed his personal property in violation of his Fourteenth Amendment right to due process. Texas provides an adequate post-

Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

deprivation remedy for the negligent or intentional deprivation of property by state officials. Murphy v. Collins, 26 F.3d 541, 543-44 (5th Cir. 1994).

This appeal is frivolous. See Howard v. King, 707 F.2d 215, 220 (5th Cir. 1983). Because the appeal is frivolous, it is dismissed. See 5th Cir. R. 42.2.

We caution Horrice that any additional frivolous appeals filed by him or on his behalf will invite the imposition of sanctions. To avoid sanctions, Horrice is further cautioned to review all pending appeals to ensure that they do not raise arguments that are frivolous because they have been previously decided by this court.

APPEAL DISMISSED; SANCTION WARNING ISSUED.