

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-10105
Conference Calendar

JACK H. CLAY, JR.,

Plaintiff-Appellant,

versus

INTERNAL REVENUE SERVICE; IRVING, TX,
CITY OF; CITY OF IRVING POLICE DEPARTMENT;
GARY BOOTH, Director, Internal Revenue Service;
BRYAN BAYLESS, Agent; VICTOR VASQUEZ;
HUTCHINSON, Officer, Police Department;
BURGDORF, Officer, Irving Police Department;
BAILEY, Officer, Irving Police Department;
JOBE, Supervisor, Irving Police Department;
JOHN DOES, 1-15; JANE DOES, 1-15,

Defendants-Appellees.

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Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:95-CV-629-D
- - - - -

August 21, 1996

Before KING, DUHÉ, and DeMOSS, Circuit Judges.

PER CURIAM:*

Jack Hammond Clay, Jr., appeals the dismissal of his civil rights action under 42 U.S.C. § 1983. He argued in the district court that the defendants violated his constitutional rights

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

because they seized, pursuant to an administrative levy, Clay's 1987 BMW from his carport in an attempt to collect outstanding federal income taxes. The district court dismissed Clay's complaint on summary judgment. On appeal, Clay does not address the merits of the district court's opinion. His appeal is frivolous and is dismissed accordingly. See Brinkmann v. Dallas County Deputy Sheriff Abner, 813 F.2d 744, 748 (5th Cir. 1987); 5th Cir. R. 42.2.

We caution Clay that any additional frivolous appeals filed by him will invite the imposition of sanctions. To avoid sanctions, Clay is further cautioned to review any pending appeals to ensure that they do not raise arguments that are frivolous.

APPEAL DISMISSED; SANCTION WARNING ISSUED.