

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-10163
Conference Calendar

LEWIS RAY YOUNG,

Plaintiff-Appellant,

versus

D.L. "SONNY" KEESEE, Sheriff,
Lubbock County Jail;
KAREN SCREWBLY, Deputy,
Lubbock County Jail,

Defendants-Appellees.

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Appeal from the United States District Court
for the Northern District of Texas
USDC No. 5:95-CV-128-C
- - - - -

August 21, 1996

Before KING, DUHÉ, and DeMOSS, Circuit Judges.

PER CURIAM:*

Lewis Young has appealed the dismissal of his action under the Texas Tort Claims Act, based on allegations that he was chemically injured when he was an inmate of the Lubbock County Jail.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

This court has previously affirmed the dismissal of Young's civil rights action, 42 U.S.C. § 1983, based on the same facts. Young v. Keesee, No. 94-11039 (5th Cir. March 22, 1995) (unpublished). Therefore, this appeal is frivolous as a matter of law. See Pittman v. Moore, 980 F.2d 994 (5th Cir. 1993). Young's motion for leave to supplement the record also lacks merit, because his exhibits are not relevant to this issue.

We caution Young that the filing of any further frivolous appeals will invite the imposition of the full range of sanctions, up to and including the requirement of securing prior approval of the court for any future legal filing. Young is cautioned to review any pending appeal he may have to ensure that no argument or contention is raised which is frivolous.

APPEAL DISMISSED; MOTION DENIED; SANCTION WARNING ISSUED.