

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-40201
Conference Calendar

BRUCE WAYNE MULLINS,

Plaintiff-Appellant,

versus

ALVIN G. KHOURY, Judge, 124th District Court,
Gregg County, Texas; RUBY COOPER, District
Clerk, Gregg County, Texas,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 6:95-CV-865
- - - - -

April 19, 1996

Before, DUHÉ, DeMOSS, and DENNIS, Circuit Judges.

PER CURIAM:*

Bruce Wayne Mullins appeals the dismissal of his civil rights action as frivolous pursuant to 28 U.S.C. § 1915(d). Mullins's complaint requests an order requiring production of the state trial transcript only. Federal courts have no power to direct state judicial officials in the performance of their functions. Moye v. Clerk, DeKalb County Superior Court, 474 F.2d 1275, 1276 (5th Cir. 1973). Because the complaint had no arguable basis in law, the district court did not abuse its discretion in dismissing the complaint as frivolous. Graves v.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Hampton, 1 F.3d 315, 317 (5th Cir. 1993). Because this appeal is frivolous, it is DISMISSED. Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983); 5th Cir. R. 42.2

We caution Mullins that any additional frivolous appeals filed by him or on his behalf will invite the imposition of sanctions. To avoid sanctions, Mullins is further cautioned to review any 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 GIVEN.