

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-40789
Summary Calendar

EDWARD J. YARBOROUGH,

Plaintiff-Appellant,

versus

CURTIS TREBBLE ET AL.,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. CA-G-94-762
- - - - -

December 5, 1996

Before SMITH, DUHÉ, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Texas state prisoner Edward J. Yarborough, # 596173, appeals the dismissal of his suit pursuant to 28 U.S.C. § 1915(d), now recodified as 28 U.S.C. § 1915(e)(2)(B)(i). Yarborough contends that the defendants were deliberately indifferent to his serious medical needs and assigned him work that was inappropriate in light of his medical condition. Having reviewed the record and Yarborough's brief, we hold that the appeal from the district

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

court's dismissal of the suit is frivolous. See Yarborough v. Trebble, No. G-94-762 (S.D. Tex. July 29, 1996).

We warn Yarborough that any additional frivolous appeals filed by him or on his behalf will invite the imposition of sanctions. To avoid sanctions Yarborough 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 ISSUED.