

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-50083
Conference Calendar

ROSENDO F. ROSALES,

Plaintiff-Appellant,

versus

BILL MCCOY, Judge,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. Mo-95-CV-168
- - - - -

June 27, 1996

Before HIGGINBOTHAM, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Rosendo Rosales, #695606, appeals the district court's dismissal of his 42 U.S.C. § 1983 action as frivolous under 28 U.S.C. § 1915(d). Appellant argues that the defendant judge "abused his authority by imposing (forcing) said attorney Gerald L. Lopez upon [him] against his expressed will just so that he could have [Rosales] convicted and sent to prison into `Forced Bondage.' "

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

We have reviewed the record, the district court's opinion, and appellant's brief, and find no abuse of discretion. See Krueger v. Reimer, 66 F.3d 75, 77 (5th Cir. 1995).

Appellant's appeal is frivolous and is DISMISSED. Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983); see 5th Cir. R. 42.2. We caution appellant that any additional frivolous appeals filed by him will invite the imposition of sanctions. To avoid sanctions, appellant 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; SANCTIONS WARNING ISSUED.