

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-60669  
Conference Calendar

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PARCO ROLAND,

Plaintiff-Appellant,

versus

CINDY C. GIBSON,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Southern District of Mississippi  
USDC No. 4:96-CV-20LN  
- - - - -

June 18, 1997

Before SMITH, STEWART, and DENNIS, Circuit Judges.

PER CURIAM:\*

Parco Roland appeals the dismissal of his § 1983 complaint as frivolous pursuant to 28 U.S.C. § 1915. The district court did not abuse its discretion in concluding that Roland had alleged nothing more than negligence, which is not actionable under § 1983. See Denton v. Hernandez, 504 U.S. 25, 33 (1992); Daniels v. Williams, 474 U.S. 327, 333-35 (1986). Roland's appeal is without arguable merit and is thus frivolous. Howard

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

v. King, 707 F.2d 215, 219-20 (5th Cir. 1983). Because the appeal is frivolous, it is DISMISSED. 5th Cir. R. 42.2.

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

APPEAL DISMISSED; SANCTION WARNING ISSUED.