

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

Nos. 96-11426 & 97-10048
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JEFFERY H. REYNOLDS, III,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:96-CR-3-H
- - - - -

September 25, 1997

Before JONES, SMITH and STEWART, Circuit Judges.

PER CURIAM:*

Jeffery H. Reynolds, III, (federal prisoner #61306-080) appeals the district court denial of his petitions for coram nobis relief. As Reynolds is still in custody, the writ of error coram nobis is not available to him. *See United States v. Morgan*, 346 U.S. 502, 509 (1954); *United States v. Drobny*, 955 F.2d 990, 996 (5th Cir. 1992). As a writ of coram nobis was not available to Reynolds, the district court did not err by denying the relief requested. No further briefing is necessary. *Clark*

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.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. Williams, 693 F.2d 381, 382 (5th Cir. 1982) (the court may dispose of the appeal on the merits on a motion for IFP).

Reynolds's appeals are without arguable merit and are DISMISSED as frivolous. See *Howard v. King*, 707 F.2d 215, 219-20 (5th Cir. 1983); 5TH CIR. R. 42.2.

Reynolds's motion to withdraw his in forma pauperis application in No. 96-11426 is GRANTED. All of Reynolds's other pending motions are DENIED.

Reynolds has disregarded this court's caution not to make frivolous filings. Consequently, Reynolds is BARRED from filing any future civil appeals in this court, or any initial civil pleading in any court which is subject to this court's jurisdiction, without the advance written permission of a judge of the forum court or of this court; the clerk of this court and the clerks of all federal district courts in this circuit are be directed to return to Reynolds, unfiled, any attempted submission inconsistent with this bar.

MOTION TO WITHDRAW IFP APPLICATION IN 96-11426 GRANTED; ALL OTHER MOTIONS DENIED; APPEALS DISMISSED; SANCTION IMPOSED.