

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-51005
Summary Calendar

CHARLIE RAY RUMPH,

Plaintiff-Appellant,

versus

CITY OF KILLEEN POLICE DEPARTMENT;
JACK W. HEMINGWAY, Judge;
D. WILLIAMS, Police Officer;
HARRINGTON, Police Officer;
DAN SMITH, Sheriff,

Defendants-Appellees.

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Appeal from the United States District Court
for the Western District of Texas
USDC No. W-96-CV-397
- - - - -

August 5, 1998

Before DAVIS, DUHE' and PARKER, Circuit Judges.

PER CURIAM:*

Charlie Ray Rumph seeks leave to proceed in forma pauperis (IFP) from the denial of his civil rights complaint under 42 U.S.C. § 1983. Rumph supported his motion with the single contention that he was falsely imprisoned for six months on a charge of trespassing. Even if this allegation were true, Rumph may not bring such an action until this sentence for trespassing

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

has been invalidated. Heck v. Humphrey, 512 U.S. 477, 487 (1994). Rumph's contention is frivolous; his motion for leave to proceed IFP is DENIED. See Howard v. King, 707 F.2d 215, 220 (5th Cir. 1983).

Additionally, Rumph is warned that future frivolous appeals will invite the imposition of sanctions. Rumph should review any pending appeals to ensure that they do not raise frivolous arguments.

APPEAL DISMISSED; SANCTION WARNING ISSUED. 5TH CIR. R. 42.2.