

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-60429
Summary Calendar

JERRY D. GRAVES,

Plaintiff-Appellant,

versus

STEVE SIMS; CURTIS L. BANKS,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Northern District of Mississippi
USDC No. 4:96-CV-256-D
- - - - -

January 16, 1998

Before WISDOM, DUHÉ, and BARKSDALE, Circuit Judges:

PER CURIAM:*

Jerry D. Graves, a Mississippi prisoner, appeals the district court's dismissal of his complaint and imposition of a sanction barring him from filing future appeals in forma pauperis (IFP) under 28 U.S.C. § 1915(g). Graves argues that the prison officials deprived him of his radio in violation of his due process and equal protection rights. The complaint Graves filed in the district court involves the same cause of action and the same parties as a prior state-court lawsuit filed by Graves which

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

was resolved against him on the merits in a court of competent jurisdiction. His complaint is barred by principles of res judicata. Russell v. SunAmerica Securities, Inc., 962 F.2d 1169, 1172 (5th Cir. 1992).

The district court did not err in imposing a sanction under § 1915(g). This is the third suit filed by Graves that the district court has dismissed for failure to state a claim.

The judgment is AFFIRMED.