

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 98-10260  
Conference Calendar

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MAURICE T. GILKEY,

Plaintiff-Appellant,

versus

TOM PRICE, Judge,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:95-CV-2422-T

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August 18, 1998

Before KING, HIGGINBOTHAM, and JONES, Circuit Judges.

PER CURIAM:\*

Maurice T. Gilkey, Texas prisoner #636808, appeals the district court's denial of his petition for a writ of mandamus.

Gilkey's motion for a certificate of probable cause to appeal is DENIED as unnecessary.

Because Gilkey fails to present any argument regarding the district court's denial of mandamus relief, the issue is abandoned. See Yohey v. Collins, 985 F.2d 222, 224-25 (5th Cir.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

1993). Gilkey's appeal is without merit and therefore frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983).

Because the appeal is frivolous, it is DISMISSED. See 5TH CIR. R. 42.2.

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

APPEAL DISMISSED; SANCTIONS WARNING ISSUED; CPC MOTION DENIED AS UNNECESSARY.