

December 30, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-10952
Summary Calendar

JERRY FAMILY OF SARK,

Plaintiff - Appellant,

versus

FEDERAL HOME LOAN MORTGAGE CORP
WELLS FARGO HOME MORTGAGE INC,

Defendants - Appellees.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:05-MC-24

Before JONES, WIENER, and DeMOSS, Circuit Judges.

PER CURIAM:*

This appeal is apparently filed to challenge the district court's dismissal of plaintiffs' case after the plaintiffs had "removed" it from a Texas appellate court. Appeal is DISMISSED as FRIVOLOUS.

First, the plaintiffs cannot "remove" to federal court a case they chose to file in state court. Second, no private party has the right to "remove" a case from a state appellate court to a federal court. No issue of arguable merit has been raised

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

concerning the district court's jurisdiction.

The plaintiffs are warned that while federal courts grant considerable leeway to pro se pleadings, they must still follow the applicable law and procedural rules in presenting their case. No attempt has been made to do so here. Should plaintiffs pursue litigation in this court again in the same manner, they will be sanctioned.

APPEAL DISMISSED, SANCTION WARNING.