

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 00-51280  
Conference Calendar

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SAMUEL G. NEWTON, III,

Plaintiff-Appellant,

versus

SONIA BLACK NEWTON; FRANK GONZALES; JEFFREY DAVIDSON;  
JAMES PETERSON; RON CARR; BYRON LEFLORE, JR.,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. SA-00-CV-469  
- - - - -

June 14, 2001

Before WIENER, DeMOSS and DENNIS, Circuit Judges.

PER CURIAM:\*

Samuel G. Newton, III, Texas prisoner #477341, appeals from the dismissal of his 42 U.S.C. § 1983 complaint pursuant to 28 U.S.C. § 1915A. Although couched in terms of civil rights violations, Newton's action is an attempt to attack collaterally the validity of an adverse state-court judgment. Federal courts lack jurisdiction to engage in appellate review of state-court determinations. District of Columbia Court of Appeals v. Feldman, 460 U.S. 462, 476, 482 (1983); Rooker v. Fidelity Trust

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Co., 263 U.S. 413, 415 (1923); Davis v. Bayless, 70 F.3d 367, 375 (5th Cir. 1995).

Newton'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. The district court's dismissal of the present case and this court's dismissal of Newton's appeal count as two strikes against him for purposes of 28 U.S.C. § 1915(g). We caution Newton that once he accumulates three strikes, he may not proceed in forma pauperis in any civil action or appeal filed while he is incarcerated or detained in any facility unless he is under imminent danger of serious physical injury. See 28 U.S.C. § 1915(g).

APPEAL DISMISSED; SANCTION WARNING ISSUED.