

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-50739
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOHNNY M. GONZALES,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. A-91-CR-4-1-JN

January 3, 2003

Before BARKSDALE, DEMOSS and BENAVIDES, Circuit Judges.

PER CURIAM:*

Johnny M. Gonzales, federal prisoner #53504-080, appeals from the denial of his petition to modify or remit the fine portion of his criminal sentence. Only the Government is authorized to move for a reduction in a prisoner's fine. 18 U.S.C. § 3753. Gonzales's motion was unauthorized and his appeal is dismissed as frivolous.

This is Gonzales's sixth appeal regarding some aspect of his 1992 conviction and/or sentence for marijuana and cocaine offenses,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

and the second appeal that is being dismissed as frivolous. We warn Gonzales that frivolous appeals or other proceedings in the future may result in sanctions against him.

APPEAL DISMISSED. 5TH CIR. R. 42.2. SANCTIONS WARNING ISSUED.