

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-20164  
Conference Calendar

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LAWRENCE R. ALBERTI ET AL.,

Plaintiffs,

versus

JOHNNY KLEVENHAGEN, Sheriff,

Defendant,

and

KENNETH M. BANKS,

Movant-Appellant,

versus

JAMES T. OITZINGER,

Appellee.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. CA-H-72-1094

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February 29, 1996

Before GARWOOD, JONES, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:\*

Kenneth M. Banks's motion to proceed in forma pauperis on appeal from the district court's order denying his petition for

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

writ of mandamus is DENIED. The appeal is frivolous, and it is DISMISSED. See 5th Cir. R. 42.2.

Banks was previously warned that filing future frivolous matters in this court would result in disciplinary sanctions. See In re Banks, 94-00284 (5th Cir. Mar. 6, 1995). Accordingly, Banks is BARRED from filing any pro se, in forma pauperis, civil appeal in this court, or any pro se, in forma pauperis, initial civil pleading in any court which is subject to this court's jurisdiction, without the advance written permission of a judge of the forum court; the clerk of this court and the clerks of all federal district courts in this Circuit are directed to return to Banks, unfiled, any attempted submission inconsistent with this bar.

APPEAL DISMISSED; SANCTIONS IMPOSED.