

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-30561
Conference Calendar

MELVIN SMITH,

Petitioner-Appellant,

versus

BURL CAIN, Warden; RICHARD P.
IEYOUB, Attorney General,

Respondents-Appellees.

- - - - -
Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 86-CA-1180 "H"

- - - - -
December 21, 1995

Before DAVIS, STEWART, and PARKER, Circuit Judges.

PER CURIAM:*

Melvin Smith argues that the district court abused its discretion in denying his motion to reconsider (FED. R. CIV. P. 60(b) motion). We have reviewed the record and determined that Smith's contentions are barred by the law-of-the-case doctrine. Chevron U.S.A., Inc. v. Traillour Oil Co., 987 F.2d 1138, 1150 (5th Cir. 1993). As Smith's appeal is without arguable merit, it is frivolous. Because the appeal is frivolous, it is DISMISSED.

* Local Rule 47.5.1 provides: "The publication of opinions that merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the court has determined that this opinion should not be published.

We caution Smith that any additional frivolous appeals filed by him will invite the imposition of sanctions. To avoid sanctions, Smith is further cautioned to review all pending appeals to ensure that they do not raise arguments that are frivolous because they have been previously decided by this court.

APPEAL DISMISSED.