

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-40824  
Summary Calendar

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RAY COLGROVE,

Plaintiff-Appellant,

versus

C.W. MARTIN, Warden; JAMES A. LYNAUGH;  
UNIDENTIFIED BENNETT; and ANDY  
COLLINS,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 9:94-CV-11  
- - - - -

March 22, 1996

Before DAVIS, BARKSDALE and DeMOSS, Circuit Judges.

PER CURIAM:\*

Ray Colgrove appeals the district court's 28 U.S.C. § 1915(d) dismissal of his pro se, in forma pauperis (IFP), 42 U.S.C. § 1983 action. Colgrove did not allege sufficient facts to demonstrate that prisoners were aware of facts that a substantial risk of harm existed regarding his failure-to-protect

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

claim. Therefore, Colgrove does not demonstrate that the defendants were deliberately indifferent to his right to be free from the violence of other inmates. See Farmer v. Brennan, 114 S. Ct. 1970, 1979 (1994). Colgrove has also failed to demonstrate that the defendants were deliberately indifferent to his serious medical needs. See Mendoza v. Lynaugh, 989 F.2d 191, 193 (5th Cir. 1993).

We warn Colgrove that the filing of frivolous appeals will result in additional sanctions. E.g., Smith v. McCleod, 946 F.2d 417, 418 (5th Cir. 1991); Jackson v. Carpenter, 921 F.2d 68, 69 (5th Cir. 1991). If Colgrove has any other appeals pending in this court at this time, he should review them in light of the foregoing warning and move to withdraw any appeal that is frivolous.

AFFIRMED; SANCTIONS WARNING ISSUED.