

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 95-40935
(Summary Calendar)

STEPHEN PAUL COOPER,

Plaintiff-Appellant,

versus

RICKY TRAVER, ET AL.,

Defendant-Appellee.

Appeal from United States District Court
for the Eastern District of Texas
(6:92-CV-594)

July 15, 1996

Before JOLLY, JONES and STEWART, Circuit Judges.

PER CURIAM:*

Stephen Paul Cooper appeals the judgment of the district court dismissing his civil rights action. He argues that the district court abused its discretion because his claims could be supported by the prison records and that exhaustion of administrative remedies was futile because the grievance process is inadequate and served only to invite retaliation by the defendants. We have reviewed the record and Cooper's brief and conclude that the district court did not abuse its discretion. Cooper v. Traver, et al., N. 6:92-CV-594 (E.D. Tex. Oct 25, 1995). The appeal is without arguable merit and thus frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983); 5th Cir. R. 42.2.

CONCLUSION

Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

For the foregoing reasons, Cooper's appeal is DISMISSED. Further, the following SANCTION WARNING is ISSUED: We caution Cooper that any additional frivolous appeals filed by him or on his behalf will invite the impositions of sanctions. To avoid sanctions, Cooper is warned 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.