

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-50567
Conference Calendar

IOTIS BLANSON,

Plaintiff-Appellant,

versus

ROBERT V. FRANCO, Warden,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. EP-95-CV-298
- - - - -

(October 17, 1995)

Before POLITZ, Chief Judge, and REAVLEY and SMITH, Circuit Judges.

PER CURIAM:*

Iotis Blanson appeals the dismissal of his habeas corpus petition pursuant to 28 U.S.C. § 2241 as frivolous. Blanson seeks to have the time he spent on pretrial release credited to his sentence of imprisonment, pursuant to 18 U.S.C. § 3585(b).

Time spent on pretrial release does not constitute "official detention" for purposes of granting a prisoner credit for time in

* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and 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 Pursuant to that Rule, the court has determined that this opinion should not be published.

prior custody. *Reno v. Koray*, 115 S. Ct. 2021, 2025 (1995); *United States v. Cleto*, 956 F.2d 83, 84-85 (5th Cir. 1992). We warn Blanson that further frivolous appeals may result in sanctions against him. See *Smith v. McCleod*, 946 F.2d 417, 418 (5th Cir. 1991); *Jackson v. Carpenter*, 921 F.2d 68, 69 (5th Cir. 1991).

DISMISSED. See 5TH CIR. R. 42.2.