

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-10328
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

NORMAN C. LOGGINS,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:88-CR-083-D
- - - - -

February 21, 1997

Before GARWOOD, JOLLY and DENNIS, Circuit Judges.

PER CURIAM:*

Norman Cedric Loggins appeals the order of the district court denying his motion for new trial. We have reviewed the record and conclude that Loggins is not entitled to relief under Fed. R. Crim. P. 32(e) or 33 or 28 U.S.C. § 2255. Loggins' appeal is without arguable merit and thus frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983). Because the appeal is frivolous, it is DISMISSED. 5th Cir. R. 42.2.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Loggins was previously warned in United States v. Loggins, No. 95-10199 (5th Cir. Aug. 10, 1995) that he would be sanctioned if he raised any more frivolous arguments before this court. Accordingly, we IMPOSE a sanction of \$105 to be paid to the district court before Loggins may pursue any further appeals. Further, Loggins is BARRED from filing any civil appeal in this court without the prior written approval of a judge of this court in active service.

APPEAL DISMISSED; SANCTIONS IMPOSED.