

UNITED STATES COURT OF APPEALS
For the Fifth Circuit

No. 96-40638
Summary Calendar

CECIL LLOYD ALLEN,

Plaintiff-Appellant,

VERSUS

M. JONES, Lieutenant, Eastham Unit, Texas Dept.
Criminal Justice, Institutional Division,

Defendant-Appellant.

Appeal from the United States District Court
For the Eastern District of Texas
(9:94-CV-245)

December 18, 1996

Before SMITH, DUHÉ and BARKSDALE, Circuit Judges.

PER CURIAM:¹

Allen, a Texas state prisoner, proceeding pro se and in forma pauperis, brings this civil rights action alleging that his constitutional rights were violated when he was sentenced to 15 days commissary restriction pursuant to a disciplinary report. The district court dismissed his complaint as frivolous. We dismiss his appeal as frivolous.

¹Pursuant to Local Rule 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Allen's complaint raises neither a liberty nor a property interest. See Sandin v. Conner, 115 S.Ct. 2293 (1995). His allegation that this disciplinary action may negatively influence the parole board to deny him relief is completely speculative. Luken v. Scott, 171 F.3d 192, 193 (5th Cir. 1995), cert denied, 116 S. Ct. 1690 (1996).

Appellant is warned that the filing of further frivolous pleadings may result in the imposition of sanctions.

APPEAL DISMISSED. SANCTIONS WARNING ISSUED.