

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-40737
Conference Calendar

WILLIE A. ROSS, JR.,

Plaintiff-Appellant,

versus

TIM WEST ET AL.,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 1:95-CV-358
- - - - -

October 24, 1996

Before POLITZ, Chief Judge, and JOLLY and HIGGINBOTHAM, Circuit Judges.

PER CURIAM:*

Willie A. Ross, Jr., Texas inmate #371414, appeals the dismissal, as frivolous, of his civil rights complaint. Ross argues that the defendants, by failing to provide a safe work area for him, were deliberately indifferent toward him and thus violated his right to be free from cruel and unusual punishment. For essentially the same reasons as relied upon by the district court in its order of dismissal, we detect no abuse of discretion

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

in the court's frivolousness determination. See Ross v. West, No. 1:95cv358 (E.D. Tex. July 5, 1996).

This appeal is without arguable merit and is thus frivolous. 5th Cir. R. 42.2. It is DISMISSED. We caution Ross that any additional frivolous appeals filed by him will invite the imposition of sanctions. To avoid sanctions, Ross is further cautioned 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.

APPEAL DISMISSED. SANCTION WARNING ISSUED.