

FILED

March 7, 2007

Charles R. Fulbruge III
Clerk

In the
United States Court of Appeals
for the Fifth Circuit

m 06-31047
Summary Calendar

MAUREEN GREENE,

Plaintiff-Appellant,

VERSUS

RUTH FONTENOT,
INDIVIDUALLY AND AS FORMER MAYOR OF NEW IBERIA;
CITY OF NEW IBERIA,

Defendants-Appellees.

Appeal from the United States District Court
for the Western District of Louisiana
m 6:05-CV-1954

Before SMITH, WIENER, and OWEN,
Circuit Judges.

PER CURIAM:*

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.
(continued...)

Maureen Greene, a vexatious *pro se* litigant, appeals an order dated September 28, 2006, that grants conditional sanctions for her conduct in this litigation. Greene also appeals the district court's refusal to recuse. And finally, Greene moves for preparation of a tran-

(*...continued)
cumstances set forth in 5TH CIR. R. 47.5.4.

script at government expense.

It is evident that Greene has badly abused the judicial process, as the district court found. She declined to participate in discovery, and she made scandalous allegations against various officials in this and other courts. The district court levied sanctions, but those sanctions are not payable unless and until Greene “files a suit or cause of action in this court or in the state courts of Louisiana arising out of the same operative facts as this suit”

The district court did not abuse its discretion in imposing these sanctions, which are entirely appropriate. The judgment is AFFIRMED. Greene is warned that this court can impose sanctions *sua sponte* for vexatious and frivolous appeals. *See Coghlan v. Starkey*, 852 F.2d 806 (5th Cir. 1988) (per curiam). Such sanctions are warranted here, but the court hereby exercises its discretion not to take such action at this time. The motion for a transcript at government expense is DENIED. Greene cannot raise, at this time, the recusal of the district judge, because she never sought recusal in the district court.