

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

September 21, 2023

No. 23-30279
Summary Calendar

Lyle W. Cayce
Clerk

RONNY LEE THOMAS,

Plaintiff—Appellant,

versus

TONY R. MOORE, *Sheriff Officer Lieutenant*; STEVE PRATOR, *Sheriff
Department Chief,*

Defendants—Appellees.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 5:22-CV-6232

Before ELROD, OLDHAM, and WILSON, *Circuit Judges.*

PER CURIAM:*

Ronny Lee Thomas appeals the district court's dismissal with prejudice of his pro se 42 U.S.C. § 1983 action as frivolous and malicious under 28 U.S.C. § 1915(e)(2)(B)(i). We review the district court's dismissal

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

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under § 1915(e)(2)(B)(i) for an abuse of discretion. *See Shakouri v. Davis*, 923 F.3d 407, 410 (5th Cir. 2019).

An action may be dismissed as frivolous or malicious if it duplicates claims raised by the same plaintiff in previous or pending litigation. *See Pittman v. Moore*, 980 F.2d 994, 994-95 (5th Cir. 1993); *Wilson v. Lynaugh*, 878 F.2d 846, 850 (5th Cir. 1989); *Bailey v. Johnson*, 846 F.2d 1019, 1021 (5th Cir. 1988). The district court noted that Thomas's complaint was duplicative of a federal action he had previously filed, which had been dismissed with prejudice. Thomas has not shown that the district court abused its discretion in dismissing his complaint on that basis. *See Shakouri*, 923 F.3d at 410; *Bailey*, 846 F.2d at 1021.

Accordingly, the judgment of the district court is AFFIRMED.