IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 93-2615
Summary Calendar

PETE ARNOLD,

Plaintiff-Appellant,

versus

RONALD G. WOODS, ET AL.,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Texas
(CA H 93-0312)

(September 14, 1994)

Before JONES, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:[1]

By order entered June 21, 1994, this court struck the *pro se* briefs filed by appellant Pete Arnold because they contained profane and abusive language regarding the trial judge, the appellees, and other public officials, but allowed Arnold 20 days in which to file proper briefs, warning that if the abusive or profane language was repeated in the substituted briefs, they would be stricken and the appeal dismissed. In that order, Arnold was also advised that Fed. R. App. P. 25 requires that all papers filed

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[1] Local Rule 47.5.1 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that rule, the court has determined that this opinion should not be published.

by any party must be served on all other parties, and the failure to do so may result in the imposition of sanctions.

On July 8, 1994, Arnold re-filed the previously stricken briefs. One brief was unchanged and approximately 12 words had been deleted the other 45-page brief, leaving the bulk of the profane and abusive language which prompted the June 21 order.[2] Moreover, the two briefs did not include certificates of service evidencing service as required by Rule 25.[3]

As we stated in ***Theriault v. Silber***, 579 F.2d 302 (5th Cir. 1978), "[t]his court simply will not allow liberal pleading rules

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[2] As in ***Theriault v. Silber***, 579 F.2d 302 (5th Cir. 1978), we would prefer to avoid publishing Arnold's calumny; however, repetition of a portion of the profane and abusive language is necessary for this order. The brief referred to the district court's order as a "Mascarade [sic] Contempt Decision" that is "so far from the truth that it is laughfable [sic], except for the fact that he wasn't jokeing [sic], he was serious. If the Judge would have made that statement under oath, he could have been filed on for purjury" [sic]. Regarding the district judge, Arnold's brief stated that he was "either delusional or on dope"; and that "he is participating in the `Federal Merry-go-round' played against the Plaintiff ... [and] is showing himself to be a `Team Captain' in the game Federal Officials enjoy playing with the Appellant in blocking, delaying, stonewalling, frustrating the Appellant in seeking a legal/just solution to his many false arrests, ..." In his brief, Arnold also threatened to "sneak and snoop all around finding out where `UN-SERVED' defendants and Judge Werlein Jr. live and their personal comming [sic] and going habits, where they park their porsches [sic] and so forth, in ORDER to hier [sic] a group of `TRUMPET-PLAYING-STRIPPERS' to ambush them in their front yards and protest and serve papers to them at their home/abode where their wives and families can PROPERLY become involved in these proceedings." Arnold further identified an issue on appeal as "SOME `GOD-LIKE' FEDERAL JUDGE ISSUED AN ORDER SAYING APPELLANT CAN'T FILE ANYTHING IN FEDERAL COURT ANYMORE, WHAT-SO-EVER, FOR ANY REASON AT ALL. Appellant says: Ha Ha! THIS `APPEAL BRIEF' IS DEFINITELY THE PROPER VEHICLE TO ATTACK THAT IDIOTIC DECISION."

[3] It appears that Arnold has now been committed to a state mental facility for an indefinite period of time.

and pro se practice to be a vehicle for abusive documents. Our pro se practice ... is not a sword with which to insult a trial judge." 579 at 303.

As a result of his refusal to comply with the order of this court, Arnold's appeal is

DISMISSED.