

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 94-20420  
Conference Calendar

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THURMAN WAYNE ARMON,

Plaintiff-Appellant,

versus

CHRISTINE MATTHEWS, Clerk,  
TOM LAWRENCE, Judge and  
HARRIS COUNTY,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. CA-H-94-1739  
- - - - -  
(September 20, 1994)

Before KING, SMITH, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

While an appellee's objection to the lack of a separate judgment is of consequence, Thurman Wayne Armon's objection is inconsequential because he is the appellant. See Whitaker v. City of Houston, 963 F.2d 831, 833 (5th Cir. 1992). We assume that Armon does not seek the dismissal of his own appeal. See Nagle v. Lee, 807 F.2d 435, 441 (5th Cir. 1987).

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\* Local Rule 47.5 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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

A divorce matter may not be brought in the guise of a federal civil rights action. Ankenbrandt v. Richards, \_\_\_ U.S. \_\_\_, 112 S. Ct. 2206, 2210, 119 L. Ed. 2d 468 (1992); Franks v. Smith, 717 F.2d 183, 185 (5th Cir. 1983). In this Court, Armon merely alleges without explanation that his complaint does not concern a divorce. He presents no argument to show that the district court abused its discretion in dismissing the action as frivolous. See 28 U.S.C. § 1915(d); Booker v. Koonce, 2 F.3d 114, 115 (5th Cir. 1993); Spears v. McCotter, 766 F.2d 179, 181 (5th Cir. 1985).

The appeal borders on the frivolous. See Coghlan v. Starkey, 852 F.2d 806, 811 (5th Cir. 1988). Today this Court dismisses another of Armon's appeals, which is frivolous. Considering the instant appeal and other factors, we impose sanctions in Armon v. McLeod, No. 94-40522 (5th Cir. Sept. 19, 1994)(unpublished).

AFFIRMED.