

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 94-40682  
Conference Calendar

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MICHAEL R. HAWKINS, SR.,

Plaintiff-Appellant,

versus

GILDA R. SMALL-BENJAMIN ET AL.,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 93-CV-1732

- - - - -  
(November 16, 1994)

Before JONES, DUHÉ, and PARKER, Circuit Judges.

PER CURIAM:\*

The district court did not abuse its discretion by denying Michael R. Hawkins, Sr.'s motion for appointment of counsel. See Jackson v. Dallas Police Dep't, 811 F.2d 260, 261 (5th Cir. 1986). This is Hawkins' second appeal from the district court's denial of his request for court-appointed counsel. This Court has already decided and informed Hawkins that the district court's denial of his motion for appointment of counsel was correct because there is no subject-matter jurisdiction. Because Hawkins' appeal is frivolous, it is dismissed. See Howard v.

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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

King, 707 F.2d 215, 219-20 (5th Cir. 1983). We hereby warn Hawkins that further frivolous litigation in the district court and in this Court will result in sanctions.

DISMISSED.