

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-10199
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

NORMAN C. LOGGINS,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
(3:91 CV 1217 D c/w 3:88 CR 083 D)

August 10, 1995

Before JONES, BARKSDALE and BENAVIDES, Circuit Judges.

PER CURIAM:*

Appellant Loggins pleaded guilty to three counts of mail fraud in 1988 and took no direct appeal. Instead, he pursued two federal habeas corpus petitions filed in January 1989 and April 1991. This court affirmed the dismissal of the first petition and dismissed the appeal of denial of relief on the second petition as frivolous.

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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

Before us now is Loggins's "appeal" from the district court's order responding to a letter Loggins wrote on February 11, 1995, seeking reversal of the district court's previous denials of relief. Loggins continues to raise issues that should have been pursued on direct appeal or in his first habeas petition. We agree with the district court's conclusion that he had no authority to revisit Loggins's case, inasmuch as the relief Loggins seeks is unavailable through Fed. R. Civ. Proc. 60(b)(6). Loggins makes no facts or assertions in this "appeal" that would cause us to reconsider the propriety of our earlier dismissal of his appeal or the district court's recent action.

Loggins is warned that even though he proceeds pro se, he is and was bound by the applicable federal law and rules of procedure. Should he raise any more frivolous arguments before this court, he will be sanctioned.

Appeal **DISMISSED** as frivolous. See Fifth Circuit Local Rule 42.2; Howard v. King, 707 F.2d 215, 220 (5th Cir. 1983).