

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 95-10251  
Conference Calendar

---

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JEANENE PORTER TRICKETT,

Defendant-Appellant.

- - - - -  
Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:95-CV-113-A/4:93-CR-136-3  
- - - - -

February 29, 1996

Before GARWOOD, JONES, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:\*

Jeanene Porter Trickett argues that the district court erred by construing her motion to set aside the judgment in her criminal case as sounding under 28 U.S.C. § 2255 and that the indictment to which she pleaded guilty did not charge the conspiracy for which she was sentenced. We have reviewed the record and the district court's opinion and conclude that the appeal is frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983); 5th Cir. R. 42.2.

---

\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

We caution Trickett that any additional frivolous appeals filed by her will invite the imposition of sanctions. To avoid sanctions, Trickett is further cautioned to review any pending appeals to ensure that they do not raise arguments that are frivolous because they have been previously decided by this court.

APPEAL DISMISSED.