

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-10992
Conference Calendar

ROCKY LEE FONTAINE,

Plaintiff-Appellant,

versus

DAVID WILLIAMS, Sheriff,
Tarrant County, Texas,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:95-CV-694-A
- - - - -

April 19, 1996

Before DUHÉ, DeMOSS, and DENNIS, Circuit Judges.

PER CURIAM:*

Rocky Lee Fontaine appeals the dismissal of his civil rights suit pursuant to 28 U.S.C. § 1915(d). Fontaine contends that Sheriff David Williams denied him access to the courts by classifying as contraband legal material sent to him by mail, thereby denying him receipt of legal materials, by providing limited access to the law library and by providing inadequate staff in the law library. Fontaine also asserts that the policy of classifying mail was operated in a discriminatory manner. We

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

have reviewed the record and Fontaine's brief, perceive no abuse of discretion by the district court.

This appeal is without arguable merit and therefore frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983). Because the appeal is frivolous, it is DISMISSED. See 5th Cir. R. 42.2.

We caution Fontaine that any additional frivolous appeals filed by him or on his behalf will invite the imposition of sanctions.

APPEAL DISMISSED. SANCTION WARNING ISSUED.