

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-20190  
Summary Calendar

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FRANCES M. SMITH,

Plaintiff-Appellant,

versus

KELSEY-SEYBOLD CLINIC, P.A.,

Defendant-Appellee.

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Appeal from the United States District Court for the  
Southern District of Texas  
(CA H 94 2839)

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(September 15, 1995)

Before JOLLY, JONES, and STEWART, Circuit Judges.

PER CURIAM:\*

The district court dismissed this discrimination suit brought by Frances Smith against her former employer after Smith failed to comply with pretrial discovery orders, and this appeal followed. Smith's attorney filed an opening brief that consists of about two-and-a-half pages, leaving aside the title pages, the certificate of interested persons, the statement regarding oral argument, the

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 Pursuant to that Rule, the court has determined that this opinion should not be published.

table of contents, the table of authorities, the statement of jurisdiction, and the signature block. It is more a recitation of law than an argument. It does not urge, in so many words, that the district court abused its discretion in dismissing her suit, as our cases require. E.g., Callip v. Harris County Child Welfare Dept., 757 F.2d 1513, 1519 (5th Cir. 1985). Moreover, Smith's attorney has prosecuted this appeal in flagrant disregard of our established rules of appellate procedure.<sup>1</sup> Counsel is admonished that further such conduct will invite sanctions from this court. This appeal is clearly frivolous and, as such, is hereby DISMISSED. See Loc. R. 42.2.

D I S M I S S E D.

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<sup>1</sup>The following list of transgressions is intended to be illustrative rather than exhaustive. The record excerpts were not filed with her brief and did not include the order that she appeals from, in violation of Fed.R.App. P. 30(a) and Loc. R. 30.1.2. and 30.1.4. Nowhere does Smith's brief cite to the record, as required by Fed.R.App.P. 28(a)(4) & (6) and Loc. R. 28.2.3; nor does it identify the applicable standard of review, as required by Fed.R.App.P 28(a)(6) and Loc. R. 28.2.6. The jurisdictional statement does not satisfy the requirements of Rule 28(a)(2) and Loc. R. 28.2.5.