

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-20434  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DIEGO FERNANDO MEJIA,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. CR-H-91-197-3  
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March 1, 1996

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

PER CURIAM:\*

Diego Fernando Mejia moves this court for in forma pauperis (IFP) status to appeal the district court's order dismissing his motion under 28 U.S.C. § 2255. Mejia fails to raise a nonfrivolous issue on appeal. See Strickland v. Washington, 466 U.S. 668, 687 (1984). Mejia's motion for leave to proceed IFP is DENIED. Because the appeal is frivolous, the appeal is DISMISSED. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983).

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.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 Mejia that any additional frivolous appeals filed by him will invite the imposition of sanctions. To avoid sanctions, Mejia 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. See 5th Cir. Rule 42.2.