

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-40476
Summary Calendar

LARRY L. SMITH,

Plaintiff-Appellant,

versus

DALTON G. MEYER, Sheriff;
RICHARD ROMANO, Captain;
JEFF FLOWERS, Doctor; SAM
GREEN, Doctor Assistance-
Nurse; ROBERT BROWN, Jailer;
RICK ELSIK, Jailer.

Defendant-Appellees.

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Appeal from the United States District Court
for the Southern District of Texas
USDC No. V-92-CV-63
- - - - -

December 7, 1995

Before WIENER, PARKER and DENNIS, Circuit Judges.

PER CURIAM:*

This is an appeal from the district court's order dismissing with prejudice appellant's 42 U.S.C. § 1983 civil rights action as frivolous under 28 U.S.C. § 1915(d). He argues that his claim for the denial of necessary medical treatment was not frivolous and that the district court abused its discretion in striking his

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 Pursuant to that Rule, the court has determined that this opinion should not be published.

amended complaint. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm for essentially the reasons given by the district court. Smith v. Meyer, No. V-92-CV-63 (S.D. Tex. May 5, 1995). Appellant's motion to file an amended complaint on appeal is DENIED.

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

AFFIRMED.