

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-40707
Conference Calendar

CALVIN WAYNE COPELAND,

Plaintiff-Appellant,

versus

DEWITT COUNTY,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. V-95-37
- - - - -

April 16, 1996

Before DUHÉ, DeMOSS, and DENNIS, Circuit Judges.

PER CURIAM:*

Calvin Wayne Copeland appeals the district court's dismissal as frivolous of his pro se and in forma pauperis (IFP) civil rights complaint. Copeland argues that his civil rights were violated because his state-court negligence suit was unsuccessful.

Copeland "may not seek a reversal in federal court of the state court judgment simply by recasting his complaint in the form of a civil rights action." Reed v. Terrell, 759 F.2d 472, 473 (5th Cir.), cert. denied, 474 U.S. 946 (1985).

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

This appeal is without arguable merit and thus frivolous. Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983). Because the appeal is frivolous, it is DISMISSED. 5th Cir. R. 42.2. Copeland is warned that any future frivolous filing will invite the imposition of sanctions. To avoid sanctions, Copeland should review any pending appeals to ensure that they do not raise arguments that are frivolous.

APPEAL DISMISSED; SANCTION WARNING ISSUED