

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-40792
Conference Calendar

LARRY D. BONEY,

Plaintiff-Appellant,

versus

JAMES A. COLLINS; WAYNE A. SCOTT;
DIAZ, Warden,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. C-95-CV-393
- - - - -

March 1, 1996

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

PER CURIAM:*

Larry D. Boney appeals from the district court's dismissal of his civil rights action as frivolous. Boney presents an entirely new issue on appeal. The issue is not purely legal and, thus, cannot be addressed by this court.

Boney does not raise any argument challenging the district court's dismissal of his claims. Issues that are not raised and argued on appeal are waived. Accordingly, Boney's appeal is DISMISSED as frivolous. See 5th Cir. R. 42.2.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.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 court previously cautioned Boney to review any pending appeals in order to avoid the imposition of sanctions. See Boney v. Collins, No. 95-40742 (Dec. 18, 1995). The district court also warned Boney that he risked the imposition of sanctions if he continued to file meritless complaints. Boney v. Collins, No. CA-C-95-28 (S.D. Tex. Oct. 12, 1995). Accordingly, Boney is BARRED from filing any pro se, in forma pauperis, civil appeal in this court, or any pros se, in forma pauperis, initial civil pleading in any court which is subject to this court's jurisdiction, without the advance written permission of a judge of the forum court; the clerk of this court and the clerks of all federal district courts in this Circuit are directed to return to Boney, unfiled, any attempted submission inconsistent with this bar.

APPEAL DISMISSED.