

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-40978
Conference Calendar

JOSEPH JOHNSON,

Plaintiff-Appellant,

versus

ROBERT J. PARKER, Warden, Ellis I;
ROBERT HERREA, Assistant Warden,
Michael Unit; ALBERT GILBERT, AD-SEG
Food Service Supervisor, Michael Unit;
TERESSA SMITH, Officer, Michael Unit;
MOLLIE JOHNSON, Nurse, Michael Unit,

Defendants-Appellees.

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Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 6:95-CV-495
- - - - -

April 19, 1996

Before DUHÉ, DeMOSS, and DENNIS, Circuit Judges.

PER CURIAM:*

Joseph Johnson appeals the dismissal of his claims that prison officials and employees were deliberately indifferent to his dietary needs and his safety. He also appeals the denial of his motion for a temporary restraining order (TRO) and a preliminary injunction.

We lack jurisdiction to consider Johnson's contentions regarding the dismissal of his deliberate-indifference claims

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

because the district court's order adjudicates fewer than all of Johnson's claims. See *Sherri A.D. v. Kirby*, 975 F.2d 193, 201 (5th Cir. 1992); *Dardar v. Lafourche Realty Co.*, 849 F.2d 955, 967 (5th Cir. 1988); FED. R. CIV. P. 54(b). Denial of a TRO is not appealable. *In re Lieb*, 915 F.2d 180, 183 (5th Cir. 1990).

By making no arguments on appeal regarding his alleged placement in administrative segregation, Johnson has abandoned that issue. *In re Municipal Bond Reporting Antitrust Litigation*, 672 F.2d 436, 439 n.6 (5th Cir. 1982). Johnson has not shown that a preliminary injunction was improperly denied. *Lakedreams v. Taylor*, 932 F.2d 1103, 1107 (5th Cir. 1991).

We caution Johnson that any additional frivolous appeals filed by him or on his behalf will invite the imposition of sanctions. To avoid sanctions, Johnson 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. R. 42.2. SANCTION WARNING ISSUED.