

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-60567
Conference Calendar

MICHAEL THERONE ANDERSON,

Plaintiff-Appellant,

versus

A.K. SHOWERS ET AL.,

Defendants,

A.K. SHOWERS; BARRY SANDERS,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Northern District of Mississippi
USDC No. 4:93-CV-342-A
- - - - -

August 21, 1996

Before KING, DUHÉ, and DeMOSS, Circuit Judges.

PER CURIAM:*

Michael Therone Anderson, #70771, appeals the bench-trial judgment against him, arguing that the magistrate judge erred in limiting discovery to Anderson's medical records and disciplinary records and in concluding that Anderson had not proved his excessive-force claim against defendant A. K. Showers by a

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

preponderance of the evidence. We have reviewed the record and briefs and AFFIRM the district court's dismissal. See Anderson v. Major A.K. Showers Et Al., No. 4:93CV342-B-A (N.D. Miss. Oct. 18, 1995). Anderson has not shown that the magistrate judge abused his discretion in limiting discovery nor that the findings of fact are clearly erroneous.

Anderson's appeal is frivolous and is DISMISSED. Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983); see 5th Cir. R. 42.2. We caution appellant that any additional frivolous appeals filed by him will invite the imposition of sanctions. To avoid sanctions, appellant is further cautioned to review any pending appeals to ensure that they do not raise arguments that are frivolous.

APPEAL DISMISSED; SANCTIONS WARNING ISSUED.