

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-11255  
Conference Calendar

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EMANUEL JOHNSON,

Plaintiff-Appellant,

versus

DALLAS POLICE DEP'T,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:96-CV-2346  
- - - - -

April 16, 1997

Before REAVLEY, DAVIS, and BARKSDALE, Circuit Judges.

PER CURIAM:\*

Emanuel Johnson (Texas prisoner # 485380) moves this court for leave to proceed *in forma pauperis* in his appeal of the district court's dismissal of his civil rights suit as frivolous. Because it appears that he has met the applicable criteria for *in forma pauperis status*, it is GRANTED.

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Pursuant to the Prison Litigation Reform Act (PLRA), we assess no initial partial filing fee against Johnson. However, Johnson henceforth shall make monthly payments of twenty percent of the preceding months income credited to his account. See 28 U.S.C. § 1915(b). The agency having custody of Johnson is directed to forward payments from his prisoner account to the clerk of the district court each time the amount in his account exceeds \$10 until the appellate filing fee of \$105 is paid. *Id.*

The district court found that Johnson's suit was duplicative of suits Johnson filed previously, and Johnson has not challenged that finding. Johnson's appeal is DISMISSED as frivolous. 5TH CIR. R. 42.2.

Johnson previously has been warned by this court that he may be sanctioned for filing further frivolous pleadings. See *Johnson v. Williams*, No. 96-10869, slip op. at 2 (5th Cir. Dec. 11, 1996). Accordingly, Johnson is barred from filing any *pro se, in forma pauperis*, civil appeal in this court, or any *pro 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 or of this court; the clerk of this court and the clerks of all federal district courts in this Circuit are directed to return to Johnson, unfiled, any attempted submission inconsistent with this bar.

APPEAL DISMISSED; SANCTION IMPOSED.