

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-20119
Conference Calendar

DARRELL LENARD BATES,

Plaintiff-Appellant,

versus

UNITED STATES MARSHAL SERVICE,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. CA-H-95-5241
- - - - -

June 25, 1996

Before HIGGINBOTHAM, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Darrell Lenard Bates, Texas inmate #530855, appeals the dismissal for frivolousness of his civil rights complaint concerning the impact of the federal detainer placed on him while he serves his state sentence. We find no abuse of discretion by the district court for dismissing the complaint as frivolous.

Bates' request for appointment of counsel is DENIED.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.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 frivolous and therefore is DISMISSED. See 5th Cir. R. 42.2. During the pendency of the instant appeal, this court warned Bates about filing frivolous appeals and cautioned him to review any pending appeals for frivolousness. Bates v. Long, No. 95-11213, slip op. at 2 (5th Cir. Apr. 16, 1996) (unpublished). He did not move to dismiss the instant appeal. Accordingly, Bates is BARRED from filing any pro se, in forma pauperis (IFP), civil appeal in this court, or any pro se, IFP, 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 Bates, unfiled, any attempted submission inconsistent with this bar.

APPEAL DISMISSED; MOTION DENIED; SANCTIONS IMPOSED.