

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-20514
Conference Calendar

IVAN RODRIGO CAMPILLO,

Petitioner-Appellant,

versus

GAYNELLE GRIFFIN JONES,

Respondent-Appellee.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. CA H 96-1194
- - - - -

December 11, 1996

Before WIENER, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Ivan Rodrigo Campillo, federal prisoner #54824-079, appeals from the dismissal of his request for a writ of mandamus. Campillo contends that Respondent has a nondiscretionary duty to inform the grand jury of the offenses allegedly committed within Respondent's district. We have reviewed the record and Campillo's brief, and perceive no error in the district court's

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

dismissal. Campillo v. Jones, No. CA H 96-1194 (S.D. Tex. Apr. 23, 1996).

This appeal is without arguable merit and, thus, frivolous. Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983). Because the appeal is frivolous, it is DISMISSED. 5th Cir. R. 42.2.

We caution Campillo that any additional frivolous appeals filed by him will invite the imposition of sanctions. To avoid sanctions, Campillo is further cautioned to review any pending appeals to ensure that they do not raise arguments that are frivolous.

APPEAL DISMISSED. SANCTION WARNING ISSUED.