

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-20538
Conference Calendar

ALFRONZO BROWN,

Plaintiff-Appellant,

versus

S. THOMPSON, Sgt.,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. CA-H-95-5386
- - - - -

August 22, 1996

Before KING, DUHÉ, and DeMOSS, Circuit Judges.

PER CURIAM:*

Alfronzo Brown (#627935) appeals the dismissal of his civil rights complaint pursuant to 28 U.S.C. § 1915(d), now § 1915(e)(2)(B)(i). Brown contends that appellee deprived him of his liberty by writing a false disciplinary report in retaliation against him for using the prison's grievance procedures.

We have reviewed the record and Brown's brief and find no reversible error in the reasoning set forth by the district

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

court. Brown v. Thompson, No. CA-H-95-5386 (S.D. Tex. May 17, 1996). Brown has failed to produce direct evidence of motivation or allege a chronology of events from which retaliation may plausibly be inferred. Woods v. Smith, 60 F.3d 1161, 1165 (5th Cir. 1995), cert. denied, 116 S. Ct. 800 (1996). The discipline imposed upon Brown, i.e., loss of status, limited commissary privileges, and the transfer to another facility, did not infringe on a protected liberty interest that would implicate due process concerns. Sandin v. Conner, 115 S. Ct. 2293, 2300-01 (1995). Further, we find that Brown's appeal is frivolous, and accordingly, we DISMISS it pursuant to 5th Cir. R. 42.2.

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

APPEAL DISMISSED. SANCTION WARNING ISSUED.