

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-30218
Conference Calendar

DANIEL C. SULLIVAN,

Plaintiff-Appellant,

versus

ORLEANS INDIGENT DEFENDERS
PROGRAM; HANS SINHA; MARK D.
NASACKA,

Defendants-Appellees.

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 95-CV-4045-T

June 26, 1996

Before HIGGINBOTHAM, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Daniel C. Sullivan, #672555, appeals from the district court's dismissal of his civil rights complaint as frivolous pursuant to 28 U.S.C. § 1915(d). Sullivan argues that his court-appointed attorneys provided ineffective representation during his criminal proceedings. We have reviewed the record and find no reversible error. The court-appointed attorneys were not acting under

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

color of state law. See Polk County v. Dodson, 454 U.S. 312, 324-25 (1981). This appeal is without merit and is thus frivolous. It is DISMISSED. See 5th Cir. R. 42.2. We caution Sullivan that any additional frivolous appeals filed by him will invite the imposition of sanctions. To avoid sanctions, Sullivan is further cautioned to review all pending appeals to ensure that they do not raise arguments that are frivolous because they have been previously decided by this court.

APPEAL DISMISSED; SANCTION WARNING ISSUED.