

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-30730
Conference Calendar

JEROME KENNON,

Plaintiff-Appellant,

versus

RICHARD SPINNER ET AL.,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. 96-CV-185-A
- - - - -

October 24, 1996

Before POLITZ, Chief Judge, and JOLLY and HIGGINBOTHAM, Circuit Judges.

PER CURIAM:*

Jerome Kennon, Louisiana inmate #131818, appeals the dismissal, as frivolous, of his civil rights suit. Our review of the arguments and the appellate record reveals that, for essentially the same reason as explained in the district court's order of dismissal, no abuse of discretion resulted by the court's frivolousness determination. See Kennon v. Spinner, No. 96-185-A-1 (M.D. La. May 23, 1996). For the first time on

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

appeal, Kennon asserts that the one-year prescriptive period was tolled by the voluntary dismissal of an earlier suit. We perceive no error, plain or otherwise, by the district court's failure to detect a tolling of the prescriptive period. See La. Civ. Code Ann. art. 3463 (West 1994).

The result of this appeal is obvious, and Kennon's arguments are without merit. The appeal is frivolous and is thus DISMISSED. 5th Cir. R. 42.2.

Kennon has been warned of the consequences of bringing frivolous appeals. See Kennon v. United States, No. 95-31175 (5th Cir. Feb. 8, 1996) (unpublished). The warning has gone unheeded. Accordingly, Kennon is BARRED from filing any pro se, in forma pauperis (IFP), civil appeal in this court without the prior written approval of an active judge of this court. Further he is BARRED from filing any pro se, IFP, 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 subject to the jurisdiction of this court are directed to return to Kennon, unfiled, any attempted submission inconsistent with this bar.

APPEAL DISMISSED. SANCTIONS IMPOSED.