

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-31005
Conference Calendar

SALVADOR RONDAN ET AL.,

Petitioners,

SALVADOR RONDAN,

Petitioner-Appellant,

versus

UNITED STATES IMMIGRATION AND
NATURALIZATION SERVICE,
John B.Z. Caplinger, Director;
Cuban Review Panel,

Respondents-Appellees.

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Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 95-CV-3786-K
- - - - -

April 22, 1997

Before REAVLEY, DAVIS, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Salvador Rondan, an alien whose exclusion from the United States has been ordered, has appealed the district court's denial of his second petition for habeas corpus relief. Rondan contends

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

that he is entitled to immigration parole, on grounds that he did not receive a full and fair interview by a Cuban Review Panel in June 1995.

The district court's memorandum opinion explains in detail that Rondan was not entitled to habeas relief, in light of the facts developed in his previous habeas action and because he received a full and fair March 1996 interview. The record shows that the Immigration and Naturalization Service was fully justified in denying parole to Rondan in April 1996, yet he has not even adverted to the 1996 proceedings in his brief.

Rondan contends that he is entitled to be paroled because his recent behavior has been good. The court will not consider the relevant documents attached to Rondan's brief, because they were not presented to the district court. See Fed. R. App. P. 10; Kemlon Products and Development Co. v. United States, 646 F.2d 223, 224 (5th Cir. 1981).

Because Rondan's appeal has no arguable merit, it is frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983). Therefore, this appeal is DISMISSED. See 5th Cir. R. 42.2.

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

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APPEAL DISMISSED; SANCTION WARNING ISSUED.