

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-40001
(Summary Calendar)

NORRIS HICKS,

Plaintiff-Appellant,

versus

J.A. COLLINS, J.E. STICE; M. HERKLOTZ;
R. DIAZ; L.W. WOODS; OFF. KRUEGER;
T. EASON; K. PITTMAN; K. DIXON; S. BROWN;
D. MAHONEYGAN,

Defendants-Appellees.

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Appeal from the United States District Court
for the Southern District of Texas
(USDC No. CA-C-94-424)
- - - - -

May 15, 1996

Before GARWOOD, WIENER and PARKER, Circuit Judges.

PER CURIAM:*

Norris Hicks appeals the district court's dismissal of his claims. Hicks argues that the district court abused its discretion by going beyond the scope of remand in determining that he was not prejudiced by any alleged refusal to certify the amount in his inmate account; by failing to give him notice of the evidentiary hearing; and by failing to liberally construe his pleadings as an application to present evidence to a grand jury concerning the

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

defendants' allegedly unconstitutional actions. We have reviewed the record, the district court's decision, and Hicks' brief, and we find no error. See Hicks v. Collins, C-94-424 (S.D. Tex. Nov. 21, 1995).

This appeal is frivolous. See Howard v. King, 707 F.2d 215, 220 (5th Cir. 1983). It is DISMISSED as such. 5th Cir. R. 42.2. We caution Hicks that any additional frivolous appeals filed by him or on his behalf will invite the imposition of sanctions. To avoid sanctions, Hicks 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; SANCTIONS WARNING ISSUED.