

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-40195
Summary Calendar

CECIL LEE RUSSELL,

Plaintiff-Appellant,

versus

J. KEITH PRICE, Warden; LANGSTON
C. JOHNSON, Sergeant; UP; TDCJ-ID,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 9:95-CV-162
- - - - -

July 19, 1996

Before SMITH, DUHÉ, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Cecil Lee Russell (Texas prisoner #472051) appeals the dismissal of his civil rights suit for the failure to pay a prior district court sanction. We have reviewed the record and Russell's contentions, and we find no abuse of discretion. *Gelabert v. Lynaugh*, 894 F.2d 746, 747-48 (5th Cir. 1990). The dismissal is AFFIRMED.

We caution Russell that any frivolous appeals filed by him or on his behalf will invite the imposition of sanctions. To avoid sanctions, Russell is further cautioned to review any

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

pending appeals to ensure that they do not raise arguments that are frivolous because they have been previously decided by this court.

AFFIRMED; SANCTION WARNING ISSUED.