

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-40205
Summary Calendar

JOSEPH ALFRED ROME, JR.,

Plaintiff-Appellant,

versus

PHILLIP VICK, Judge,
158th District; TRACY
KUNKEL, Denton County
District Clerk,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 4:96-CV-009
- - - - -

May 1, 1996

Before DAVIS, BARKSDALE and DeMOSS, Circuit Judges.

PER CURIAM:*

Joseph Alfred Rome, Jr., argues that the district court erred in dismissing his civil rights complaint as frivolous. Rome also contests the district court's imposition of sanctions.

We have reviewed the record, the opinion of the district court, and the brief, and find that the dismissal of 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* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

complaint as frivolous is affirmed substantially for the reasons adopted by the district court. See Rome v. Vick, No. 4:96-CV-009 (E.D. Tex. Feb. 29, 1996).

Rome's conclusional allegation that the district court's imposition of sanctions was the result of bias does not establish that he was denied an impartial tribunal. Litkey v. United States, 114 S. Ct. 1147, 1157-58 (1994). The district court did not abuse its discretion in imposing sanctions against Rome.

Because Rome has failed to raise an issue of arguable merit, the appeal is dismissed as frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983); 5th Cir. Rule 42.2. We caution Rome that any additional frivolous appeals filed by him will invite the imposition of sanctions by this court. To avoid sanctions, Rome is further cautioned to review any 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.