

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-40497  
Conference Calendar

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JAMES L. SWEED,

Plaintiff-Appellant,

versus

TDCJ-ID, Board Policy Makers,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 9:96-CV-29  
- - - - -

August 22, 1996

Before KING, DUHÉ, and DeMOSS, Circuit Judges.

PER CURIAM:\*

James L. Sweed, # 661010, appeals the dismissal of his civil rights action brought pursuant to 42 U.S.C. § 1983. Sweed contends that he was prejudiced by TDCJ-ID's mail policy because he had to prove that he had mailed his petition for rehearing in a timely manner. We have reviewed the record and the district court's opinion and find no reversible error. Sweed v. TDCJ Board Members, C.A. No. 9:96cv29 (E.D. Tex. May 10, 1996).

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Further, we hold that this appeal is frivolous and dismiss it accordingly. See 5th Cir. R. 42.2.

Sweed previously has been warned by this court that he may be sanctioned for filing further frivolous pleadings. Accordingly, Sweed is hereby BARRED from filing any pro se, in forma pauperis, civil appeal in this court, or any pro se, in forma pauperis, initial 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 in this Circuit are directed to return to Sweed, unfiled, any attempted submission inconsistent with this bar.

APPEAL DISMISSED AS FRIVOLOUS; SANCTION IMPOSED.