

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-41008  
Conference Calendar

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TERRENCE HAZEL,

Plaintiff-Appellant,

versus

SMITH CORONA CORPORATION; ABET  
BUSINESS MACHINES,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. C-96-MC-47  
- - - - -  
February 24, 1997

Before SMITH, EMILIO M. GARZA, and PARKER, Circuit Judges.

PER CURIAM:\*

The motion filed by Terrence Hazel, Texas prisoner #563233,  
to proceed in forma pauperis (IFP) on appeal is GRANTED.

Pursuant to the Prison Litigation Reform Act (PLRA), we  
assess an initial partial filing fee against Hazel of \$5.12.  
Hazel shall make such payment to the clerk of the district court.  
Hazel henceforth shall make monthly payments of twenty percent of

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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that this opinion should not be published and is not precedent  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.

the preceding month's income credited to his prison account. See

28 U.S.C. § 1915(b). The agency having custody of Hazel is directed to forward payments from his prisoner account to the clerk of the district court each time the amount in his account exceeds \$10 until the appellate filing fee of \$105 is paid. Id.

Regarding Hazel's contentions that he stated a valid basis for federal jurisdiction over his case, we have reviewed Hazel's brief and the record and we find that the district court did not err by dismissing Hazel's case for lack of jurisdiction. Hazel's appeal is without arguable merit and is DISMISSED as frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983). We caution Hazel that future frivolous civil suits and appeals filed by him or on his behalf will invite the imposition of sanctions. Hazel is cautioned further to review any pending suits and appeals to ensure that they do not raise arguments that are frivolous.

APPEAL DISMISSED; SANCTIONS WARNING ISSUED. 5th Cir. R.  
42.2.