

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-50027  
Conference Calendar

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DAVID D. DU VALL,

Plaintiff-Appellant,

versus

UNITED STATES OF AMERICA, ET AL.,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. A-95-CV-331  
- - - - -

August 20, 1996

Before KING, DUHÉ, and DeMOSS, Circuit Judges.

PER CURIAM:\*

David D. Du Vall appeals from the district court's grant of summary judgment in favor of the Defendants and the dismissal of his suit concerning the mistaken re-assignment of his rented post office box. We do not reach the merits of the appeal as Du Vall's suit is facially frivolous, insubstantial, and "insufficient to invoke the jurisdiction of a federal court."

*Dilworth v. Dallas Cty. Commun. College Dist.*, 81 F.3d 616, 617

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

(5th Cir. 1996) (civil rights suit in which student complained of receiving a "B" in English). As Du Vall's suit was so patently trifling as to fail to invoke federal jurisdiction, his appeal is frivolous, and it is DISMISSED as such. See 5TH CIR. R. 42.2.

We caution Du Vall that any additional frivolous appeals filed by him or on his behalf will invite the imposition of sanctions. To avoid sanctions, Du Vall is further cautioned to review any pending appeals to ensure that they do not raise arguments that are frivolous.

APPEAL DISMISSED; SANCTION WARNING ISSUED.