

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-50090
Conference Calendar

GLEN C. JAMES,

Plaintiff-Appellant,

versus

STATE OF TEXAS; TEXAS DEPARTMENT
OF CRIMINAL JUSTICE,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. SA-95-CV-1272
- - - - -

April 18, 1996

Before DUHÉ, DeMOSS, and DENNIS, Circuit Judges.

PER CURIAM:*

Glen C. James, a Texas state prisoner, sued the State of Texas and the Texas Department of Criminal Justice alleging that the defendants violated his rights under the Religious Freedom Restoration Act of 1993 (RFRA), 42 U.S.C. §§ 2000bb-2000bb-4, by adopting Tex. Gov't Code Ann. § 498.0045 (West Supp. 1996). The district court did not abuse its discretion in concluding that James' RFRA claims were frivolous. See Hicks v. Garner, 69

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

F.3d 22, 25 (5th Cir. 1995); see James v. Texas, No. SA-95-CA-1272 (W.D. Tex. Jan. 26, 1996).

This appeal is frivolous. See Howard v. King, 707 F.2d 215, 220 (5th Cir. 1983). Because the appeal is frivolous it is DISMISSED. See 5th Cir. Rule 42.2.

James is cautioned than any additional frivolous appeals filed by him will invite the imposition of sanctions. To avoid sanctions, James is further cautioned to review any pending appeals to ensure that they do not raise arguments that are frivolous.

APPEAL DISMISSED; SANCTIONS WARNING.