

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-50183
Conference Calendar

VERNON KING, JR.,

Plaintiff-Appellant,

versus

NELSON R. LITTLE, Sgt.;
CHRISTEL ROBINSON;
DONALD G. FREE, II,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. W-94-CV-328
- - - - -

June 27, 1996

Before HIGGINBOTHAM, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Texas prisoner Vernon King, Jr., #590316, seeks in forma pauperis (IFP) status to appeal the district court's dismissal of his civil rights complaint. King argues that his complaint alleged that the defendants subjected him to cruel and unusual punishment and that the district court abused its discretion by failing to appoint counsel.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

King has failed to identify any error in the district court's dismissal of his suit. See King v. Little, CA No. W-94-CA-328 (W.D. Tex. Sept. 26, 1995 and Feb. 26, 1996). Having reviewed the record and the relevant law, we DENY the motion for IFP because this appeal does not involve legal points arguable on their merits. Jackson v. Dallas Police Dep't, 811 F.2d 260, 261 (5th Cir. 1986). Thus, the appeal is frivolous and subject to dismissal. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983); 5th Cir. R. 42.2. King's motions for appointment of appellate counsel, an extension of time, and a judicial investigation are DENIED. We caution King that any additional frivolous appeals filed by him will invite the imposition of sanctions. To avoid sanctions, King 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.