

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-50459
Conference Calendar

DONALD RAY MCCRAY,

Plaintiff-Appellant,

versus

MICHAEL J. MCCORMICK,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. A-96-CV-137
- - - - -

October 23, 1996

Before POLITZ, Chief Judge, and JOLLY and HIGGINBOTHAM, Circuit Judges.

PER CURIAM:*

Donald Ray McCray, # 620694, appeals the district court's dismissal of his 42 U.S.C. § 1983 civil rights complaint as frivolous pursuant to 28 U.S.C. § 1915(d) (now (e)(2)(B)(i)). He contends that Judge McCormick is not entitled to absolute immunity. We have reviewed the record and the district court's

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

opinion and find no reversible error. See McCray v. McCormick, No. A-96-CA-137-SS (W.D. Tex. Jun. 10, 1996). We further hold that McCray's appeal is frivolous and dismiss it pursuant to 5th Cir. R. 42.2.

We remind McCray that in McCray v. Lower, No. 96-20516 (5th Cir. Aug. 21, 1996), he was barred indefinitely by this court 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, and that the clerk of this court and the clerks of all federal district courts in this Circuit are directed to return to McCray, unfiled, any attempted submission inconsistent with this bar. We consider this appeal only because it was filed before this bar was imposed. To avoid additional sanctions, McCray should review any pending appeals and withdraw any frivolous appeals immediately.

APPEAL DISMISSED.