

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-60357
Conference Calendar

WILLIAM A. SHAW,

Plaintiff-Appellant,

versus

EDDIE LUCAS, Commissioner, Mississippi
Department of Corrections, ET AL.,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Northern District of Mississippi
USDC No. 4:93-CV-184-S-B
- - - - -

August 21, 1996

Before KING, DUHÉ, and DeMOSS, Circuit Judges.

PER CURIAM:*

William A. Shaw, Mississippi inmate #40656, appeals the dismissal as frivolous of his civil rights complaint. His only argument raised before this court,** for the first time on appeal, is that the district court erred by relying on Sandin v.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

** Issues raised in the district court have not been raised in Shaw's appellate brief. Thus, they are deemed abandoned on appeal. See Eason v. Thaler, 14 F.3d 8, 9 n.1 (5th Cir. 1994).

Conner, 115 S. Ct. 2293 (1995), because Sandin does not apply retroactively. Our review of the matter reveals no error, plain or otherwise, by the court in its reliance on Sandin. See Highland Ins. v. National Union Fire Ins., 27 F.3d 1027, 1031-32 (5th Cir. 1994) (applying plain-error standard in civil case), cert. denied, 115 S. Ct. 903 (1995).

This appeal is frivolous and is therefore dismissed. See 5th Cir R. 42.2. We caution Shaw that any additional frivolous appeals filed by him will invite the imposition of sanctions. To avoid sanctions, Shaw is further cautioned to review all pending appeals to ensure that they do not raise arguments that are frivolous.

APPEAL DISMISSED. SANCTION WARNING ISSUED.