

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-10393
Conference Calendar

ROBERT MICHAEL MORRIS,

Plaintiff-Appellant,

versus

TEXAS DEP'T OF CRIM. JUSTICE, INST'L DIV.;
WAYNE SCOTT, Director; MARK LAUGHLIN,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 5:97-CV-77-C
- - - - -

June 18, 1997

Before SMITH, STEWART, and DENNIS, Circuit Judges.

PER CURIAM:*

Robert M. Morris (#754851) has appealed the dismissal of his civil rights complaint as frivolous. Morris contends that the appellees were negligent in the treatment of his medical condition. Allegations of unsuccessful medical treatment, acts of negligence, neglect, or medical malpractice are insufficient to give rise to a § 1983 cause of action. See Varnado v. Lynaugh, 920 F.2d 320, 321 (5th Cir. 1991). Because the appeal

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

is frivolous, it is DISMISSED. Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983); 5th Cir. R. 42.2.

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

APPEAL DISMISSED; SANCTION WARNING ISSUED.