

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

Nos. 97-20571, 97-20703, 97-20663, 97-20822
Conference Calendar

CHRISTOPHER KEITH HANDY,

Petitioner-Appellant,

versus

GARY L. JOHNSON, Director,
Texas Department of Criminal Justice,
Institutional Division,

Respondent-Appellee.

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Appeals from the United States District Court
for the Southern District of Texas
USDC No. H-96-CV-4499
- - - - -

February 17, 1998

Before SMITH, EMILIO M. GARZA, and DeMOSS, Circuit Judges.

PER CURIAM:*

Christopher Keith Handy, Texas prisoner #774008, has filed five briefs that violate the rules regarding supplemental briefing. FED. R. APP. P. 28(j). These briefs are STRICKEN. Handy moves this court for a certificate of appealability ("COA") following the district court's dismissal of his federal habeas petition for failure to exhaust state remedies--appeals numbered

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

97-20571, 97-20663, and 97-20703. Handy has abandoned the appeals regarding the dismissal for failure to exhaust by failing to brief the issue. *Brinkmann v. Dallas County Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987). COA is DENIED.

Handy has also appealed from the district court denial of his motion for the return of his habeas filings (appeals numbered 97-20822, 97-20703 and 97-20663) and the district court's denial of a certificate of appealability (appeal number 97-20663 only). We CONSOLIDATE the other appeals with 97-20571 and 97-20703, which were consolidated on Handy's motion; all of the appeals are without arguable merit and thus frivolous. *See Howard v. King*, 707 F.2d 215, 219-20 (5th Cir. 1983). Because the appeals are frivolous, they are DISMISSED. *See* 5TH CIR. R. 42.2.

Handy is cautioned that any additional frivolous appeals filed by him or on his behalf will invite the imposition of sanctions. To avoid sanctions, Handy should review any pending appeals to ensure that they do not raise arguments that are frivolous.

BRIEFS STRICKEN; COA DENIED; APPEALS CONSOLIDATED AND DISMISSED; SANCTION WARNING ISSUED.