

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 97-40291  
Summary Calendar

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MICHAEL WAYNE FIELDS,

Plaintiff-Appellant,

versus

BETRECIA L. DAVIS, CO to Michael Unit;  
WILLIAM R. WATTS, Captain at Michael Unit;  
GREGORY HAYNES, Sergeant at Michael Unit,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 6:96-CV-952  
- - - - -

October 19, 1998

Before DAVIS, DUHÉ, and PARKER, Circuit Judges.

PER CURIAM:<sup>1</sup>

Michael Wayne Fields, Texas prisoner #645761, appeals the district court's dismissal of his 42 U.S.C. § 1983 complaint as frivolous. He argues that a false disciplinary report was filed against him, that one of the officers instructed that the false report be filed in retaliation of Fields's numerous lawsuits against prison officials, and that another prison official based his determination that Fields should be disciplined on no evidence.

Fields has filed numerous lawsuits which have been dismissed

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<sup>1</sup> 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

as frivolous, for which Fields has either exhausted or waived his appeal. See Fields v. Adams, No. 97-41108 (5th Cir. Feb. 5, 1998)(unpublished)(dismissal of appeal from district court's dismissal of complaint as frivolous); Fields v. Johnson, No. 97-40822 (5th Cir. Nov. 13, 1997) (unpublished)(dismissal of appeal from district court's dismissal of complaint as frivolous); Fields v. Collins, No. 96-40752 (5th Cir. Dec. 3, 1996)(unpublished)(dismissal of appeal from district court's dismissal of complaint as frivolous); see also Fields v. Johnson, No. 6:97-CV-336 (E.D. Tex. June 2, 1997)(unpublished) (dismissal of complaint as frivolous).

Fields is barred from filing any pleadings in forma pauperis. See 28 U.S.C. § 1915(g); Adepedba v. Hammons, 103 F.3d 383, 387 (5th Cir. 1996). Fields has not made any showing that he was in imminent danger of serious physical injury. See § 1915(g); Banos v. O'Guin, 144 F.3d 883, 884-85 (5th Cir. 1998). His appeal is DISMISSED. Fields may reinstate this appeal if he pays the filing fee of \$105 to the clerk of the district court within 30 days of the date of this opinion.