

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-40891
Summary Calendar

DENNIS RAY DEAN,

Plaintiff-Appellant,

versus

JEFF JONES, Sherman Police Officer;
CITY OF SHERMAN TASK FORCE,

Defendants-Appellees.

Appeal from the United States District Court
for the Eastern District of Texas
(No. 4:97-CV-47)

July 14, 1998

Before SMITH, WIENER, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Federal prisoner Dennis Ray Dean, no. 06153-078, appeals the district court's dismissal of his 42 U.S.C. § 1983 action as frivolous. Dean's *pro se, in forma pauperis* civil rights action claimed that he was subjected to excessive use of force during an arrest.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

The record reflects that Dean's alleged injuries of minor bruises, scratches, reduced self-esteem, and "emotional scars that as a result manifests anti-social behavior" are not the kinds of injuries that would support a claim for excessive use of force. See *Siglar v. Hightower*, 112 F.3d 191, 193 (5th Cir. 1997); *Ikerd v. Blair*, 101 F.3d 430, 433-34 (5th Cir. 1996).

In addition, because Dean's claims that he was searched without probable cause and that his seizure and arrest were effected without probable cause are submitted for the first time on appeal, they are reviewed only for plain error. See *United States v. Calverley*, 37 F.3d 160, 162-64 (5th Cir. 1994) (en banc), cert. denied, 513 U.S. 1196 (1995); *Robertson v. Plano City of Tex.*, 70 F.3d 21, 23 (5th Cir. 1995). We find none.

In sum, the district court did not abuse its discretion by dismissing Dean's action as frivolous. See *Denton v. Hernandez*, 504 U.S. 25, 31-32, 33 (1992). Accordingly, this appeal is **DISMISSED** as frivolous. 5TH CIR. R. 42.2.

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

APPEAL DISMISSED; SANCTIONS WARNING ISSUED