

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 98-10521  
Summary Calendar

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JOHN H. CLOUD,

Plaintiff-Appellant,

versus

JIMMY S. WEBB,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 7:97-CV-251  
- - - - -

November 24, 1998

Before HIGGINBOTHAM, JONES, and DENNIS, Circuit Judges.

PER CURIAM:\*

John H. Cloud, Texas prisoner # 749521, appeals the district court's dismissal of his 42 U.S.C. § 1983 civil rights action as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B)(i). Cloud contends that the district court erred in dismissing his claim that the defendant caused his personal property and legal materials to be lost and that the loss of his legal materials resulted in a denial of his access to the courts. Cloud has identified no error in the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

district court's dismissal. See Cloud v. Webb, No. 7:97-CV-251 (N.D. Tex. April 8, 1998).

Cloud also argues that the district court abused its discretion in denying his Rule 59(e) motion to alter and amend the judgment in which he argued for the first time that prison officials retaliated against him by, among other things, removing him from a library job and placing him in a kitchen job without consideration of his severe medical problems. The district court did not abuse its discretion in refusing to allow Cloud to bring claims seriatim after the entry of a final judgment in the instant case. See Briddle v. Scott, 63 F.3d 364, 380 (5th Cir. 1995); Southern Constructors Group v. Dynalectric Co., 2 F.3d 606, 612 & n.25 (5th Cir. 1993).

Cloud's motions to supplement the record are DENIED. Cloud's request for judicial notice is also DENIED.

Because Cloud's appeal fails to present a nonfrivolous issue, his appeal is DISMISSED as frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983); 5th Cir. R. 42.2. Cloud is cautioned that any future frivolous appeals or pleadings filed by him or on his behalf will invite the imposition of sanctions. Cloud should therefore review any pending appeals to ensure that they do not raise arguments that are frivolous.

APPEAL DISMISSED; MOTIONS TO SUPPLEMENT RECORD DENIED; REQUEST FOR JUDICIAL NOTICE DENIED; SANCTIONS WARNING ISSUED.