

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-31037
Conference Calendar

ISAAC I. OMOIKE,

Plaintiff-Appellant,

versus

STATE OF LOUISIANA; PATRICK LABELLA;
SHERRY PATRICK; STELLA COREY; KENDAL DIEL,

Defendants-Appellees.

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Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. 97-CV-220
- - - - -

June 15, 1999

Before EMILIO M. GARZA, BENAVIDES, and PARKER, Circuit Judges.

PER CURIAM:*

Isaac I. Omoike appeals the district court's order granting summary judgment on absolute-immunity grounds against Patrick Labella and upholding a finding that Eleventh Amendment immunity applies in cases between a state and its own citizens. Omoike's brief addresses neither of these matters. *Pro se* litigants must comply with the requirements of FED. R. APP. P. 28 that the appellant's argument contain the reasons he deserves the requested relief with citation to authorities and parts of the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

record on which the appellant relies. Grant v. Cuellar, 59 F.3d 523, 524 (5th Cir. 1995). As Omoike's brief does not satisfy the briefing requirements under FED. R. APP. P. 28 and fails to identify any district court error, it is frivolous and is DISMISSED. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983); 5TH CIR. R. 42.2.

We previously cautioned Omoike that any additional frivolous appeals would invite the imposition of sanctions. See Omoike v. State of Louisiana, No. 98-30193 (5th Cir. June 2, 1998) (unpublished). This court may impose sanctions on a litigant *sua sponte*. See Coghlan v. Starkey, 852 F.2d 806, 808 (5th Cir. 1988). Accordingly, IT IS ORDERED that Omoike is sanctioned \$105, the cost of bringing this appeal. IT IS ALSO ORDERED that Omoike remit payment to the Clerk of this Court. Given his history of filing appeals that are frivolous or do not have a jurisdictional basis in this court, Omoike is BARRED from filing any *pro se* pleading or appeal in this court or in any court which is subject to this court's jurisdiction, without the advance written permission of a judge of the forum court. The clerk of this court and the clerks of all federal district courts in this circuit are DIRECTED to return to Omoike, unfiled, any attempted submission inconsistent with this bar. To obtain such permission, Omoike must send a letter, requesting such permission and attaching copies of the proposed filing and this order to the Clerk of the forum court.

APPEAL DISMISSED; SANCTIONS IMPOSED.