

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 98-60329  
Conference Calendar

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EMANUEL ALFORD,

Plaintiff-Appellant,

versus

JAMES ANDERSON; JOSEPH RIGSBEE;  
LEANETTE JORDAN,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Southern District of Mississippi  
USDC No. 3:98-CV-251-W-S  
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February 9, 1999

Before BARKSDALE, and EMILIO M. GARZA, Circuit Judges.\*

PER CURIAM:\*\*

Mississippi state prisoner Emanuel Alford, #57166, appeals the district court's dismissal of his 42 U.S.C. § 1983 complaint with prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim upon which relief may be granted. We have reviewed the record and Alford's brief and conclude that Alford has failed to identify any error in the dismissal. See Alford v. Anderson,

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\*This matter is being decided by a quorum. 28 U.S.C. § 46(d).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 3:98cv251BN (S.D. Miss. Apr. 28, 1998).

Alford's appeal is without merit and therefore frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983).

Because the appeal is frivolous, it is DISMISSED. See 5TH CIR. R. 42.2. We caution Alford that any additional frivolous appeals filed by him or on his behalf will invite the imposition of sanctions. To avoid sanctions, Alford is further cautioned to review any pending appeals to ensure that they do not raise arguments that are frivolous.

APPEAL DISMISSED; SANCTIONS WARNING ISSUED.