

June 13, 2007

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 06-11279
Summary Calendar

LILLY SCHMIDT, also known as Lily Schmidt,

Petitioner-Appellant,

versus

WARDEN GINNY VAN BUREN, Carswell Federal Medical Center; GREG
ABBOTT, Attorney General,

Respondents-Appellees.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:06-CV-1829

Before REAVLEY, BARKSDALE, and STEWART, Circuit Judges.

PER CURIAM:*

Lilly Schmidt, federal prisoner # 31487-054, appeals the denial of her motion for leave to file a successive 28 U.S.C. § 2241 petition for failure to comply with a prior sanction and preclusion order. In her purported § 2241 petition, she sought to challenge her conviction for a plan to murder two federal agents, solicitation to commit that crime, and attempted escape from custody, for which she received a sentence of 30 years. The district court's dismissal of a suit for failure to comply with

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

an earlier sanction order is reviewed for an abuse of discretion. Gelabert v. Lynaugh, 894 F.2d 746, 747-48 (5th Cir. 1990).

Schmidt does not dispute that she was sanctioned by the United States District Court for the Northern District of Texas or the United States District Court for the Southern District of New York. Nor does she contend that she has paid the \$250 monetary sanction imposed by the Northern District of Texas.

Although Schmidt complains that the sanctions previously imposed are an abuse of discretion, these prior sanction orders are not subject to review in this appeal. Moreover, Schmidt's contention that the enforcement of such sanction and preclusion orders blocks her access to the court is without merit. See Lewis v. Casey, 518 U.S. 343, 355-56 (1996). Because the district court in the instant case could properly enforce the outstanding sanction orders of sister courts, its denial of Schmidt's motion for leave for failure to comply with the sanction order was not an abuse of discretion. See Balawajder v. Scott, 160 F.3d 1066, 1067-68 (5th Cir. 1998). Consequently, the judgment of the district court is affirmed.

The record on appeal reflects that Schmidt has sent to this court documents containing abusive language and unfounded and inflammatory allegations against officers of this court. In light of Schmidt's egregious and persistent filing of frivolous and abusive pleadings/documents in this court as well as in other courts, we direct the Clerk of this Court to reject the filing of

any motion and/or pleading by Schmidt, except for complaints that Schmidt is under imminent danger of serious physical injury, until the outstanding \$250 monetary sanction imposed by the Northern District of Texas is paid. We also warn Schmidt that the continued filing of pleadings or documents in this court that are frivolous or contain abusive language or unfounded, inflammatory allegations against officers of this court will result in the imposition of additional sanctions.

AFFIRMED; SANCTION IMPOSED; SANCTION WARNING ISSUED.