

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-40490  
Conference Calendar

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CLIFTON RAY CHOYCE,

Plaintiff-Appellant,

versus

LESLIE WOODS ET AL.,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. C-95-CV-129  
- - - - -

October 23, 1996

Before POLITZ, Chief Judge, and JOLLY and HIGGINBOTHAM, Circuit Judges.

PER CURIAM:\*

Clifton Ray Choyce, Texas prisoner #380334, appeals the grant of summary judgment in favor of the defendants dismissing his civil rights complaint. Choyce argues that the dismissal of his complaint was in error because the defendants acted outside the scope of the meal-service policy at issue when they denied him food for failing to follow the policy, and because his due process rights were violated when he was disciplined without

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

prior notice for his failure to follow the policy.

The record supports the magistrate judge's implicit conclusion that the defendants acted within their authority in enforcing the policy and that the consequences of Choyce's failure to follow that policy sufficiently were outlined. The record also supports the conclusion that Choyce had knowledge that he his misconduct was prohibited. Compare Reeves v. Pettcox, 19 F.3d 1060, 1061 (5th Cir. 1994).

We caution Choyce that any additional frivolous appeals filed by him will invite the imposition of sanctions. To avoid sanctions, Choyce is further cautioned to review any pending appeals to ensure that they do not raise arguments that are frivolous.

AFFIRMED.