

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-6501

MICHAEL ALLEN KOKOSKI,

Plaintiff - Appellant,

versus

WILLIAM PAUER, individually, and in his capacity as a United States Postal Inspector; UNKNOWN NAMED AGENT OR EMPLOYEE, individually, and in his capacity as an agent or employee of the United States Postal Service, the United States, the State of West Virginia, and/or any department(s) thereof; WAYNE CANTRELL, individually and in his capacity as a United States Postal Inspector; UNITED STATES OF AMERICA; MIKE FISHER, individually and in his capacity as an Assistant United States Attorney; SHANNON HARMAN, individually and in her capacity as an employee or representative of the Pitney Bowes Company,

Defendants - Appellees.

Appeal from the United States District Court for the Southern District of West Virginia, at Beckley. Robert C. Chambers, District Judge. (5:02-cv-01254)

Submitted: July 2, 2007

Decided: July 18, 2007

Before NIEMEYER, KING, and DUNCAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Michael Allen Kokoski, Appellant Pro Se. Stephen Michael Horn,
Assistant United States Attorney, Charleston, West Virginia, for
Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Michael Allen Kokoski appeals the district court order denying his motion to reconsider the order denying as frivolous his motion for mandatory sanctions. On June 4, 2007, we directed Kokoski to show cause as to why he should not be enjoined from filing petitions for writs of mandamus without leave of court or an appeal without a district court order certifying the appeal is not frivolous.

Because Kokoski has a history of filing frivolous cases, appeals and petitions for writs of mandamus, we will limit his opportunity to file pleadings in this court. Kokoski is enjoined from filing petitions for writs of mandamus without leave of court. In the future, if Kokoski wants to file a petition for a writ of mandamus in this court, he must file a motion for leave in this court, accompanied by the proposed petition. The proposed petition will be reviewed. If the proposed petition is found to be frivolous, no judicial action will be taken and the motion for leave will be deemed denied thirty days after the motion was filed. Otherwise, the petition will be filed. Kokoski is also enjoined from filing a notice of appeal from a district court order without a district court order certifying the appeal is not frivolous. If Kokoski wants to appeal a district court order, he must first file a motion for leave accompanied with the notice of appeal and this opinion in the district court.

After reviewing the record and the district court order, we find the appeal is frivolous for the reasons stated by the district court. See Kokoski v. Pauer, No. 5:02-cv-01254 (S.D. W. Va. Mar. 29, 2007). Accordingly, we dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED