

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 16-10337
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

June 19, 2017

Lyle W. Cayce
Clerk

MICHAEL ANTHONY DAVIS,

Petitioner-Appellant

v.

RODNEY W. CHANDLER, Warden, Federal Correctional Institution Fort
Worth,

Respondent-Appellee

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:16-CV-225

Before REAVLEY, OWEN, and ELROD, Circuit Judges.

PER CURIAM:*

Michael Anthony Davis, federal prisoner # 33896-177, appeals the district court's sanction order barring him from filing the instant 28 U.S.C. § 2241 petition, in which he challenged his 2005 convictions and sentences for conspiring to possess and distribute cocaine base and distributing cocaine base. The district court issued numerous sanction warnings and, in 2014, imposed a

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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\$250 sanction and ordered that if Davis filed any further pleadings challenging his convictions and sentences without providing proof that he paid the monetary sanction, the clerk would docket the pleadings for administrative purposes only and the submissions would be closed under authority of the court's order. In February 2016, Davis filed in the district court yet another § 2241 petition, which was closed pursuant to the sanction order. The district court granted Davis leave to proceed in forma pauperis on appeal.

Given Davis's extensive history of filing frivolous or repetitive pleadings and given that he received adequate notice that he would be subjected to sanctions, the district court did not abuse its discretion in enforcing the sanction order. *See Gelabert v. Lynaugh*, 894 F.2d 746, 747-78 (5th Cir. 1990); *Mendoza v. Lynaugh*, 989 F.2d 191, 195 (5th Cir. 1993). Accordingly, the district court's judgment is AFFIRMED.

In addition to failing to heed the district court's warnings, Davis has failed to heed this court's warning against filing frivolous or repetitive pleadings. *See Davis v. Chandler*, No. 14-10323 (Feb. 10, 2015). He is therefore ORDERED to pay a monetary SANCTION of \$250 to the clerk of this court. This monetary sanction must be paid in addition to, and not in lieu of, any monetary sanctions imposed by the district court. Davis is BARRED from filing any pleading challenging his convictions or sentences in this court or any court subject to this court's jurisdiction until the sanction is paid in full unless he first obtains leave of the court in which he seeks to file his pleading. He is WARNED that any future frivolous, repetitive, or otherwise abusive filings will subject him to additional and progressively more severe sanctions. Davis is directed to review all pending matters and move to dismiss any that are frivolous, repetitive, or otherwise abusive.