

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

No. 17-40660
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

December 27, 2017

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

MICHAEL JOSEPH DERROW,

Defendant-Appellant

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 9:98-CR-6-9

Before JOLLY, OWEN, and HAYNES, Circuit Judges.

PER CURIAM:*

Michael Joseph Derrow, federal prisoner # 03199-286, was sentenced in 1999 to a total of 480 months of imprisonment after being convicted of possession with the intent to distribute 50 grams or more of crack cocaine and conspiracy to distribute and possess with the intent to distribute 50 grams or more of crack cocaine in violation of 21 U.S.C. §§ 841(a)(1) and 846. In 2017, Derrow filed a motion for relief from final judgment purportedly pursuant to

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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Federal Rule of Civil Procedure 60(b) seeking to reduce his sentence. He also filed a motion for the district court to take judicial notice of adjudicative facts. The district court denied the motions, and Derrow appeals.

Derrow's motions were unauthorized motions that the district court was without jurisdiction to consider. *See United States v. Bridges*, 116 F.3d 1110, 1112-13 (5th Cir. 1997); *United States v. Early*, 27 F.3d 140, 142 (5th Cir. 1994); *see also United States v. Williams*, 274 F. App'x 346, 347 (5th Cir. 2008). The judgment of the district court is AFFIRMED. His motion requesting that this court take judicial notice of facts is DENIED.

In the instant case, Derrow sought to raise claims challenging his sentence that were raised and rejected in several other previously filed pleadings. He has failed to heed this court's warning against filing frivolous or repetitive pleadings. *See In re: Derrow*, No. 14-40182 (5th Cir. May 15, 2015); *United States v. Derrow*, No. 11-40645 (5th Cir. Feb. 14, 2012). Accordingly, he is ORDERED to pay a monetary SANCTION of \$250 to the clerk of this court. Derrow is BARRED from filing any pleading challenging his conviction or sentence 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.