

United States Court of Appeals for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

November 5, 2025

Lyle W. Cayce
Clerk

No. 24-30318
Summary Calendar

MICHAEL A. JAMES, *real party in interest* C.A.J.,

Plaintiff—Appellant,

versus

EAST BATON ROUGE CITY PARISH; SID J. GAUTREAUX, III;
JOSHUA CLARK; JORDON WEBB; NATHAN HARRISON; TERRAL
LOCKETT; ERIC DAVID; THOMAS WEIMER; LEIGH RICE; JOHN
MISTRETTA; ANDREW PALERMO; JAMES COOPER; J. HALE; K-9
DATOKA; J. GEEN; CHRIS JOHNSON; 3 UNKNOWN HOUSTON,
TX DEA AGENTS; 1 UNKNOWN EAST BATON ROUGE SHERIFF
OFFICER; JACLYN CHAPMAN; HILLAR C. MOORE, III; TANNER
JENKINS; UNKNOWN WOLFE SERGEANT; CHAD PHELPS; C.
PELLETIER; B. DIETRICH,

Defendants—Appellees.

Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. 3:23-CV-394

Before STEWART, GRAVES, and OLDHAM, *Circuit Judges.*

No. 24-30318

PER CURIAM:*

Michael A. James, a former state pretrial detainee and current federal pretrial detainee, appeals the district court's dismissal of his civil rights action as duplicative and thus malicious and frivolous pursuant to 28 U.S.C. § 1915A(b)(1).

An action may be dismissed as malicious and frivolous if it duplicates claims raised by the same plaintiff in a previous or pending litigation. *See Shakouri v. Davis*, 923 F.3d 407, 410 (5th Cir. 2019); *Pittman v. Moore*, 980 F.2d 994, 994-95 (5th Cir. 1993); *Bailey v. Johnson*, 846 F.2d 1019, 1021 (5th Cir. 1988). With regard to the district court's decision, James concedes that his claims are duplicative but contends that they are neither malicious nor frivolous. However, we find no error in the district court's determination that the complaint, which involved "the same series of events" and contained allegations of "many of the same facts" as James's three prior 42 U.S.C. § 1983 suits, was duplicative and thus malicious and frivolous. *Bailey*, 846 F.2d at 1021.

Accordingly, the judgment of the district court is AFFIRMED. James is WARNED that sanctions may be issued in response to future frivolous filings. James is also REMINDED that he remains subject to 28 U.S.C. § 1915(g) and thus is barred from proceeding in any civil action or appeal filed in a court of the United States while he is incarcerated or detained in any facility unless he is under imminent danger of serious physical injury.

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.