

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-30735
Conference Calendar

MARY ANN LOVELL, on behalf of Edmond White, Jr.,

Plaintiff-Appellant,

versus

CLAIBORNE MANOR NURSING HOME, INC.; BILL COPELAND,

Defendants-Appellees.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 00-CV-275

December 13, 2000

Before DAVIS, STEWART, and PARKER, Circuit Judges.

PER CURIAM:*

Mary Ann Biddle Lovell filed a civil rights complaint against Claiborne Manor Nursing Home and its administrator, Bill Copeland. The district court dismissed Lovell's complaint for lack of subject matter jurisdiction and, alternatively, for failure to state a claim on which relief may be granted under Fed. R. Civ. P. 12(b)(6).

There is nothing in Lovell's complaint to support federal jurisdiction. The district court did not err in dismissing Lovell's complaint. Lovell's appeal is without arguable merit

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

and is frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983). It is DISMISSED. 5th Cir. R. 42.2.

Lovell has been cautioned that sanctions would be imposed if she continued to file frivolous pleadings. Lovell v. Hightower, No. 98-31375 (5th Cir. Aug. 27, 1999)(unpublished). This warning was not effective. Accordingly, WE ORDER Lovell TO PAY a sanction of \$105 to the Clerk of this court. Furthermore, Lovell is WARNED that her submission of any frivolous matter to this court or any court subject to the jurisdiction of this court at any time - before or after she pays the \$105 sanction - will subject her to further sanctions.

APPEAL DISMISSED; SANCTIONS IMPOSED; SANCTION WARNING ISSUED.