

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-20038
Conference Calendar

RAY LEE MORGAN,

Plaintiff-Appellant,

versus

BROWN & WILLIAMSON; RJ REYNOLDS
TOBACCO CORPORATION,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-00-CV-2116

April 11, 2001

Before JOLLY, HIGGINBOTHAM, and JONES, Circuit Judges.

PER CURIAM:*

Ray Lee Morgan, Texas prisoner # 299341, challenges the district court's dismissal as frivolous of his civil lawsuit against two tobacco companies, alleging that they had caused him to become addicted to tobacco, which he has smoked for 35 years, injuring his respiratory system.

Morgan has not alleged any basis for federal jurisdiction, and the district court's dismissal of his complaint was thus proper. See Bickford v. Int'l Speedway Corp., 654 F.2d 1028,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

1031 (5th Cir. 1981). Accordingly, the district court's judgment is AFFIRMED.