

April 20, 2004

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 03-30800
Conference Calendar

WILLIE G. DEBOSE,

Plaintiff-Appellant,

versus

SIR CLYDE LAIN, II,

Defendant-Appellee.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 03-CV-517

Before JOLLY, JONES, and SMITH, Circuit Judges.

PER CURIAM:*

Willie G. DeBose appeals the district court's dismissal of his petition for lack of subject matter jurisdiction. See 28 U.S.C. §§ 1331, 1332. He asserts that the state court's rejection of his legal malpractice claim violated his constitutional rights. This is an insufficient basis for federal-question jurisdiction and DeBose has suggested no other jurisdictional basis. See Liedtke v. State Bar of Texas, 18 F.3d 315, 317 (5th Cir. 1994). As the parties are not diverse, see

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

28 U.S.C. § 1332, the district court did not err in dismissing DeBose's petition for lack of subject matter jurisdiction.

DeBose has failed to raise an issue of arguable merit. His appeal is therefore dismissed as frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983). The filing of frivolous appeals in the future could subject DeBose to sanctions.

DeBose's motion to accept for filing exhibits to his brief is hereby DENIED.

APPEAL DISMISSED; SANCTION WARNING ISSUED; MOTION DENIED.