

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

October 8, 2008

No. 08-40603
Summary Calendar

Charles R. Fulbruge III
Clerk

LALAIIE JOHNSON

Plaintiff-Appellant

v.

HONG SHEN; WHISPERING PINE LODGE

Defendants-Appellees

Appeal from the United States District Court
for the Eastern District of Texas
No. 6:08-CV-166

Before HIGGINBOTHAM, BARKSDALE, and ELROD, Circuit Judges.

PER CURIAM:*

In her complaint, Lalaie Johnson, proceeding pro se and in forma pauperis, alleged, in essence, that she received negligent treatment by defendants-appellees while residing in the Whispering Pine Lodge nursing home. Because she cited no basis for federal jurisdiction, she was ordered to file an amended complaint to state that basis. She filed two amended complaints as a result, the last asserting racial bias in the state courts. The district court adopted the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

magistrate judge's recommendation and dismissed this action for lack of subject-matter jurisdiction.

Proceeding pro se on appeal, Johnson fails to show subject-matter jurisdiction. Essentially for the reasons stated in the magistrate judge's 15 May 2008 Report and Recommendation, the judgment of the district court is

AFFIRMED.