

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-30886
Conference Calendar

RUCHELL CINQUE MAGEE,

Plaintiff-Appellant,

versus

DELOS JOHNSON; RICHARD WATTS,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 95-CV-2037
- - - - -

June 27, 1996

Before HIGGINBOTHAM, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:*

This court must examine the basis of its jurisdiction on its own motion if necessary. Mosley v. Cozby, 813 F.2d 659, 660 (5th Cir. 1987). The district court entered final judgment dismissing this action on August 11, 1995. On August 28, 1995, Magee filed in the district court a "Motion to Reconsider Order or in the Alternative, Motion for Leave to Take an Interlocutory Appeal In

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Forma Pauperis." Because the pleading requests reconsideration of the district court's final judgment as the primary relief and requests leave to appeal only in the alternative, the document does not clearly evince an intent to appeal from the August 11, 1995, judgment. See id. Accordingly, the appeal is DISMISSED.

APPEAL DISMISSED.