

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-30951
Conference Calendar

MARY ANN LOVELL,

Plaintiff-Appellant,

versus

JOHN B. SLATTERY, JR., McConell & Slattery

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 96-CV-1183-F

- - - - -
February 20, 1997

Before SMITH, EMILIO M. GARZA, and PARKER, Circuit Judges.

PER CURIAM:*

Mary Ann Lovell appeals the district court's sua sponte dismissal without prejudice of her complaint against John B. Slattery, Jr. The district court's dismissal pursuant to Fed. R. Civ. P. 41(b) for failure to prosecute was not an abuse of discretion. See McCullough v. Lynaugh, 835 F.2d 1126, 1127 (5th Cir. 1988).

This appeal is frivolous. It is DISMISSED. See 5th Cir. R. 42.2.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.