

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-31126
Summary Calendar

UNITED STATES OF AMERICA,
ex relator, Louis R. Koerner, Jr.,

Plaintiff-Appellant,

versus

CRESCENT CITY EMERGENCY MEDICAL
SERVICE, INC., doing business as Medic
One; MEDIC ONE AMBULANCE SERVICES, INC.;
AMERICAN MEDICAL RESPONSE, INC.;
JERRY VARANAY; SUE BIROU; BONNIE EDWARDS,

Defendants-Appellees.

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Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 95-CV-979-A
- - - - -

August 19, 1997

Before JOLLY, JONES, and SMITH, Circuit Judges.

PER CURIAM:*

Louis Koerner, Jr., appeals from the dismissal for lack of subject matter jurisdiction of his False Claims Act suit. We have reviewed the record and found no error in the reasoning of the district court. *See United States v. Crescent City E.M.S.*, No. 95-CV-979-A (E.D. La. Sept. 5, 1996). Koerner's appeal is

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

without arguable merit and, thus, frivolous. *See Howard v. King*,
707 F.2d 215, 219-20 (5th Cir. 1983). Because the appeal is

frivolous, it is DISMISSED. See 5TH CIR. R. 42.2.

Koerner is cautioned that any future frivolous appeals filed by him or on his behalf will invite the imposition of sanctions. Koerner is cautioned further to review any pending appeals to ensure that they do not raise arguments that are frivolous.

APPEAL DISMISSED; SANCTION WARNING ISSUED.