

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 98-50168  
Conference Calendar

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WILBERT ANTONIO COLEMAN, Pastor,

Plaintiff-Appellant,

versus

U.S. DEPARTMENT OF VETERANS AFFAIRS, South  
Texas Veterans Health Care System,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. SA-97-CV-1381

- - - - -  
October 20, 1998

Before POLITZ, Chief Judge, and WIENER and DENNIS, Circuit Judges.

PER CURIAM:\*

Wilbert Antonio Coleman appeals the district court's dismissal of his complaint for want of subject-matter jurisdiction. Coleman relies in part upon documents which were not before the district court. We have not considered those documents; our review is based upon the appellate record. See United States v. Flores, 887 F.2d 543, 546 (5th Cir. 1989).

Coleman argues that the district court had jurisdiction over his claims against the VA through 31 U.S.C. §§ 3729 and 3730.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

The language of § 3729 does not support Coleman's unique interpretation of the statute to support a cause of action against the government or its agencies. We have carefully reviewed Coleman's remaining arguments. Our independent review of the appellate record reveals that the district court did not err in concluding that there was no basis for entertaining the suit in federal court. See Home Builders Ass'n v. City of Madison, Miss., 143 F.3d 1006, 1010 (5th Cir. 1998).

This appeal is without arguable merit and thus frivolous. It is DISMISSED. See 5TH CIR. R. 42.2.

Additionally, Coleman is warned that future frivolous appeals will invite the imposition of sanctions. Coleman should review any pending appeals to ensure that they do not raise frivolous arguments.

APPEAL DISMISSED; SANCTION WARNING ISSUED.