

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 99-20050  
Summary Calendar

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ZACHARY J. GUILLORY,

Plaintiff-Appellant,

versus

HUGH FLEWELLEN, President (Westmont Civic Club and as an Individual); JEFF SAYLES, Vice President and as an Individual; CINDY ELLIS, Secretary and as an Individual, et al. also, Jointly and Severally or any others, whom subscribe or any which may do so jointly and severally,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. H-97-CV-3356  
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December 3, 1999

Before JOLLY, JONES, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Zachary J. Guillory appeals the district court's order granting the defendants' motion to dismiss his civil complaint for lack of subject-matter jurisdiction.

A review of the record reflects that the district court did not err in concluding that Guillory's complaint failed to invoke

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

either diversity or federal-question jurisdiction. See 28 U.S.C.

§§ 1331, 1332; FED. R. CIV. P. 12(b)(1). In his complaint, Guillory sued several neighbors in his Houston, Texas, neighborhood, alleging that they were harassing, libeling, and defaming him and committing similar torts against him. Guillory has purportedly sued the private-party defendants for violations of the 1964 Civil Rights Act, but his allegations have no bearing on the protections afforded by that legislation. See, e.g., 42 U.S.C. §§ 2000a et seq. Guillory's conclusional references to the Civil Rights Act, are not, without more, sufficient to establish federal jurisdiction. See Gaar v. Quirk, 86 F.3d 451, 453 (5th Cir. 1996). Guillory has not established diversity jurisdiction because he has not established complete diversity. See Whalen v. Carter, 954 F.2d 1087, 1094 (5th Cir. 1992).

Accordingly, the district court's order granting the defendants' motion to dismiss is AFFIRMED.