

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-30150
Summary Calendar

MARY ANN LOVELL,

Plaintiff-Appellant,

versus

HUNT OIL COMPANY; GARY HURFORD;
RAY L. HUNT, Chairman;
UNION BANKERS INSURANCE COMPANY,

Defendants-Appellees.

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 98-CV-3315-G

December 23, 1999

Before JOLLY, JONES, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Mary Ann Lovell appeals the district court's dismissal of her pro se complaint against Hunt Oil Company wherein she complained about the result of Louisiana probate proceedings involving a Meaker Glover White. The district court dismissed the complaint for lack of subject-matter jurisdiction.

In the absence of either federal-question or diversity jurisdiction, a district court may dismiss an action for lack of subject-matter jurisdiction. See FED. R. CIV. P. 12(h)(3) (when

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

it appears that the court lacks subject-matter jurisdiction, the court shall dismiss the action). Lovell's attempt to establish federal subject-matter jurisdiction based on Louisiana statutes obviously is without merit. The appeal is without arguable merit and thus is DISMISSED. See 5TH CIR. R. 42.2; Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983).

APPEAL DISMISSED.