

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-11259
Conference Calendar

LASSISSI RACHIDI,

Plaintiff-Appellant,

versus

UNITED STATES OF AMERICA;
FEDERAL BUREAU OF PRISONS;
FEDERAL CORRECTIONAL INSTITUTE,
BIG SPRINGS, TEXAS,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 1:97-CV-72
- - - - -
October 21, 1998

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

PER CURIAM:*

Lassissi Rachidi appeals from the dismissal of his claim under the Federal Tort Claims Act ("FTCA"), 28 U.S.C. §§ 1346(b), 2671-2680, for failure to prosecute. Rachidi seeks compensation for injuries allegedly caused while he was working as a federal prisoner. Although federal prisoners may seek recovery under the FTCA for certain injuries, the exclusive remedy for a federal prisoner's work-related injury is a claim filed pursuant to 18

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

U.S.C. § 4126. United States v. Demko, 385 U.S. 149, 152-53 (1966); Aston v. United States, 625 F.2d 1210, 1211 (5th Cir. 1980). The district court lacked subject-matter jurisdiction to hear Rachidi's claim because it was not cognizable under the FTCA. Aston, 625 F.2d at 1211. Dismissal of Rachidi's lawsuit was therefore proper. See Bickford v. Int'l Speedway Corp., 654 F.2d 1028, 1031 (5th Cir. 1981)(judgment may be affirmed on any basis supported by the record).

AFFIRMED.