

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-41593
Conference Calendar

HOWARD LEE BARNES,

Plaintiff-Appellant,

versus

ALLAN B. POLUNSKY, Board of Criminal Justice;
WAYNE SCOTT; MIKE WILSON, Warden, Michael Unit;
WILLIAM JOCK, Lieutenant, Michael Unit;
TRAVIS FEARS, Correctional Officer III, Michael Unit;
LEONARD P. RIGAMONTI; JOHN K. SHEAD,

Defendants-Appellees.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 6:98-CV-442

December 16, 1999

Before JOLLY, HIGGINBOTHAM, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Howard Lee Barnes, Texas prisoner No. 647284, appeals the district court's entry of summary judgment dismissing his claims against defendants Polunsky, Scott, and Wilson, and dismissing certain of his claims against defendants Jock and Fears.

This court must examine sua sponte the basis of its own jurisdiction, if necessary. Mosley v. Cozby, 813 F.2d 659, 660

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

(5th Cir. 1987). As the district court's judgment was not final as to all parties, we lack appellate jurisdiction. 28 U.S.C. § 1291. The APPEAL IS DISMISSED.

APPEAL DISMISSED.