

FILED

October 20, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 06-20198
Summary Calendar

CLIFTON JACKSON,

Plaintiff-Appellant,

versus

LEWIS FOOD TOWN, INC.,

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Texas, Houston
USDC No. 4:04-CV-2432

Before REAVLEY, WIENER and DENNIS, Circuit Judges.

PER CURIAM:*

The appellant only complains of his treatment by his former employer and does not address the reason why the district court dismissed his lawsuit. Our examination of

* 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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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 record reveals that the dismissal was in accord with the rules and within the discretion of the court.

For many months the magistrate judge, district judge, and counsel for Lewis Food Town patiently and properly sought to obtain from the appellant information supporting his claim. The Rules of Civil Procedure were followed and appellant was informed of what was required and what consequences could result from failure to comply. Because appellant continued to refuse to comply, Rule 37(b)(2)(C) warrants the judgment of dismissal.

AFFIRMED.