

February 15, 2007

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. 06-60221

ERICA L. BANKS,

Plaintiff - Appellee,

versus

CORRECTIONS CORPORATION OF AMERICA, Etc., ET AL.,

Defendants,

CORRECTIONS CORPORATION OF AMERICA,
doing business as Delta Correctional Facility,

Defendant - Appellant.

Appeal from the United States District Court
for the Northern District of Mississippi, Greenville
USDC No. 4:03-CV-401

Before REAVLEY, JOLLY, and BENAVIDES, Circuit Judges.

PER CURIAM:*

The district court was correct in its conclusion that judicial estoppel was inappropriate because it properly found that, under the facts of this case, Banks had no motive to conceal her Title VII claim and thus her failure to disclose it to the bankruptcy court was inadvertent.

AFFIRMED.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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