

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-40253
Summary Calendar

RAIMUND PUZONIA,

Plaintiff-Appellant,

versus

ESSILOR OF AMERICA,

Defendant-Appellee.

Appeal from the United States District Court for
the Eastern District of Texas
(USDC No. 4:99-CV-164)

September 28, 2000

Before REAVLEY, JOLLY and JONES, Circuit Judges.

PER CURIAM:*

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Appellant Raimund Puzonia argues that the replacement of his penile prosthesis was a medical necessity and therefore covered under the Essilor of America, Inc. medical plan. We agree with the district court that the record shows that the costs of replacement were “charges in connection with the treatment of sexual dysfunction” and were therefore excluded from coverage.

AFFIRMED.