

June 10, 2004

Charles R. Fulbruge III
Clerk

In the
United States Court of Appeals
for the Fifth Circuit

No. 03-20977

ALVY T. MCQUEEN,

Plaintiff-Appellant,

VERSUS

UNITED STATES OF AMERICA; ET AL.,

Defendants,

UNITED STATES OF AMERICA;
UNITED STATES DEPARTMENT OF JUSTICE,
INCLUDING ITS NAMED COMPONENTS;
UNITED STATES DEPARTMENT OF TREASURY,
INCLUDING ITS COMPONENT INTERNAL REVENUE SERVICE;
SUSIE M. WONG; MARK W. HUGHES;
CRISPIN L. SMITH; ANGELO A. FRATTARELLI,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Texas
m H-01-CV-3868

Before SMITH, BENAVIDES, and PICKERING,
Circuit Judges.

PER CURIAM:*

Alvy McQueen asserts a statutory action against the United States and a *Bivens* action against various government employees. The district court entered summary judgment for defendants, and McQueen appeals.

We have reviewed the briefs and pertinent portions of the record and have heard the arguments of counsel. We affirm, essentially for the reasons given by the district court. In summary, the statutory action is barred by limitations, and the district court committed no reversible error in finding immunity on the *Bivens* actions.

The district court properly denied McQueen a waiver of fees regarding his FOIA request. If, however, McQueen is willing to pay the fees, he is not barred from pursuing a FOIA request.

It is time for this aged litigation to be put to bed. The judgment is 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.