

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 97-20078  
Conference Calendar

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VINOD K. AGGARWAL,

Plaintiff-Appellant,

versus

MADELEINE ALBRIGHT,  
SECRETARY OF STATE OF THE UNITED STATES;  
JANET RENO, U.S. Attorney General;  
AMERICAN CONSUL, in New Delhi, India,  
Individually and His Official Capacity,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. H-96-CV-1255  
- - - - -

August 15, 1997

Before KING, HIGGINBOTHAM, and DUHÉ, Circuit Judges.

PER CURIAM:\*

Vinod K. Aggarwal appeals from the district court's grant of the defendants' motion to dismiss his claims for lack of subject matter jurisdiction under Fed. R. Civ. P. 12(b)(1). In his complaint, Aggarwal sought review of a consular officer's denial of visa applications for his wife and children. "[D]ecisions of United States consuls on visa matters are nonreviewable by the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

courts." Centeno v. Shultz, 817 F.2d 1212, 1213-14 (5th Cir. 1987); see Kleindienst v. Mandel, 408 U.S. 753, 766 (1972).

Aggarwal has not raised on appeal the argument asserted in the district court that he was entitled to relief under Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971). Therefore, this issue has been abandoned. See Evans v. City of Marlin, Tex., 986 F.2d 104, 106 n.1 (5th Cir. 1993).

AFFIRMED.