

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

September 11, 2013

No. 13-30557
Summary Calendar

Lyle W. Cayce
Clerk

JAMES H. MURUNGI,

Plaintiff–Appellant,

versus

TOURO INFIRMARY; LEE B. HANKINS; RAQUEL S. MARGULIS;
THERESA WILLIAMS,

Defendants–Appellees.

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 2:11-CV-1823

Before JONES, SMITH, and CLEMENT, Circuit Judges.

PER CURIAM:*

James Murungi, *pro se* in the district court and on appeal, sued for

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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employment discrimination. Various discovery disputes ensued. The defendants ultimately moved for dismissal for Murungi's failure to produce documents as ordered or to cooperate with other discovery proceedings, including his deposition.

The magistrate judge issued a detailed Report and Recommendation concluding that the suit be dismissed with prejudice as authorized by Federal Rule of Civil Procedure 37(b)(2)(A)(v). The district court approved the recommendation and dismissed.

The magistrate judge convincingly set forth Murungi's repeated failures and refusals to cooperate in reasonable discovery, both in this proceeding and in others. There is no error in the dismissal under Rule 37. The judgment of dismissal is **AFFIRMED**, essentially for the reasons assigned by the magistrate judge. All outstanding motions are denied.