

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-10240
Summary Calendar

DIANNE MARIE HARPER,

Plaintiff-Appellant,

versus

LOCKHEED MARTIN CORP.,
doing business as Lockheed
Martin Aeronautics Company,

Defendant-Appellee.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:00-CV-450-Y

September 17, 2001

Before KING, Chief Judge, and HIGGINBOTHAM and BENAVIDES, Circuit
Judges.

PER CURIAM:*

Invoking, inter alia, Title VII, Dianne Marie Harper brought
this action alleging that she has subjected to sex-based
discrimination. On the motion of the defendant, the district
court dismissed her second amended complaint, with prejudice, for
insufficient service of process, lack of subject-matter

* 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that this opinion should not be published and is not precedent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.

jurisdiction, and failure to state a claim. Harper appeals but fails to develop any legal or factual support for the position that service on the defendant was sufficient. This court "will not raise and discuss legal issues that [Harper] has failed to assert." Brinkmann v. Dallas County Deputy Sheriff Abner, 813 F.2d 744, 748 (5th Cir. 1987). The failure to challenge the district court's determination that she did not effect proper service of process renders Harper's appeal without merit and thus frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983). Because the appeal is frivolous, it is dismissed. See 5TH CIR. R. 42.2.

DISMISSED.