

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-51278
Summary Calendar

STEVEN J. INGRAM,

Plaintiff-Appellant,

versus

UNITED STATES OF AMERICA; ANN CLARK, Lieutenant Commander,
United States Naval Reserve; WILLIAM ROBARDS, Lieutenant
Commander, United States Naval Reserve,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. A-01-CV-203-SS
- - - - -

June 21, 2002

Before DUHÉ, BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:¹

Steven J. Ingram appeals from the district court's order granting the Government's motion to dismiss or, in the alternative, for summary judgment, in his pro se lawsuit filed under the Federal Tort Claims Act ("FTCA"), 28 U.S.C. §§ 1346(b), 2671-2680, and civil rights statutes. Ingram failed to respond to the Government's motion.

The district court did not err in concluding that Ingram's FTCA and civil rights claims were barred under the justiciability

¹ 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

doctrine of Feres v. United States, 340 U.S. 135 (1950), in that the injuries alleged by Ingram arose out of or were incident to his service in the military. See Feres, 340 U.S. at 146; Schoemer v. United States, 59 F.3d 26, 28 (5th Cir. 1995); Stanley v. United States, 483 U.S. 669, 684 (1987).

The district court did not err in denying Ingram's motion for recusal, because Ingram made no specific allegation of personal bias. See Liteky v. United States, 510 U.S. 540, 554 (1994). The district court also did not abuse its discretion in denying Ingram's motion for an extension of time to conduct discovery. See Moore v. Willis Indep. Sch. Dist., 233 F.3d 871, 876 (5th Cir. 2000).

The judgment of the district court is

AFFIRMED.