

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-20508
Summary Calendar

GLENN BARBER,

Plaintiff-Appellant,

versus

OFFICE OF THE SECRETARY DEPARTMENT
OF VETERANS AFFAIRS,

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-01-CV-4158

October 21, 2002

Before GARWOOD, JOLLY and SMITH, Circuit Judges.

PER CURIAM:*

Glenn Barber appeals the district court's dismissal for lack of subject-matter jurisdiction of his case against the Department of Veterans Affairs (VA). He argues that the district court had jurisdiction over his claims against the VA under 28 U.S.C. § 1331 and 1346(b)(1). These general jurisdiction statutes do not

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 R.47.5 the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

constitute waivers of sovereign immunity. *Shanbaum v. United States*, 32 F.3d 180, 182 (5th Cir. 1994).

We have carefully reviewed Barber's remaining arguments. Our independent review of the appellate record reveals that the district court did not err in concluding that the district court lacked jurisdiction over the suit. *Zuspann v. Brown*, 60 F.3d 1156, 1158-59 (5th Cir. 1995); *Shanbaum* at 182. The district court's dismissal is therefore AFFIRMED.¹

¹The district court's judgment order dated April 18, 2002, concludes by stating "DISMISSED WITH PREJUDICE;" we modify this portion of the order to read "DISMISSED FOR WANT OF JURISDICTION."