

May 27, 2003

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III
Clerk

No. 02-51061
Summary Calendar

MICHAEL JOHN GILBERT,

Plaintiff - Appellant,

versus

VAL VERDE REGIONAL MEDICAL CENTER,

Defendant - Appellee.

Appeal from the United States District Court
for the Western District of Texas
USDC No.: DR-01-CV-44-FB/DG

Before JOLLY, HIGGINBOTHAM, and DAVIS, Circuit Judges.

PER CURIAM:*

Michael John Gilbert, pro se, appeals the magistrate judge's order denying appointed counsel in this Title VII action. Although Gilbert consented to final disposition by a magistrate judge, Val Verde Regional Medical Center did not consent. Gilbert did not seek review of the magistrate judge's ruling by the district court. Accordingly, we lack appellate jurisdiction to review the magistrate judge's order. See Singletary v. B.R.X., Inc., 828 F.2d 1135, 1137 (5th Cir. 1987) (pretrial matters referred by a district

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

court to a magistrate judge must be appealed first to the district court).

D I S M I S S E D.