

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

United States Court of Appeals  
Fifth Circuit

**FILED**

May 28, 2009

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No. 08-20565  
Summary Calendar

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Charles R. Fulbruge III  
Clerk

BACILIO A AMORRORTU, individually, victim of political persecution

Plaintiff-Appellant

v.

REPUBLIC OF PERU

Defendant-Appellee

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Appeal from the United States District Court  
for the Southern District of Texas  
4:06-CV-4012

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Before DAVIS, GARZA, and PRADO, Circuit Judges.

PER CURIAM:\*

Bacilio A. Amorrortu appeals the dismissal of his claims for lack of subject matter jurisdiction pursuant to FED. R. CIV. P. 12(b)(1). For the reasons stated by the district court, we conclude that Amorrortu has failed to allege a sufficient basis for jurisdiction under the Foreign Sovereign Immunities Act. *See* 28 U.S.C. § 1605.

Accordingly, we AFFIRM.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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