

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 94-60119

Summary Calendar

ORLANDO LEON BENITEZ SR.,

Plaintiff-Appellant,

versus

SECRETARY OF VETERANS AFFAIRS,

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Texas
(CA-L-92-5)

(February 16, 1995)

Before GARWOOD, HIGGINBOTHAM, and DAVIS, Circuit Judges.

PER CURIAM:*

Because Benitez did not file a notice of appeal within ten days of the bankruptcy court's ruling, the district court was correct in dismissing the appeal for lack of jurisdiction. Bankr. R. 8002(a), 9022(a) (stating that lack of notice does not affect time for filing appeal); In re Arbuckle, 988 F.2d 29, 31-32 (5th Cir. 1993). AFFIRMED.

*Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.