

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-31141  
Summary Calendar

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HOWARD NOLAN CHISHOLM, JR.,

Plaintiff-Appellant,

versus

UNITED STATES OF AMERICA, on behalf of  
Overton Brooks Medical Center

Defendant-Appellee.

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Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 96-CV-1421  
- - - - -

April 22, 1997

Before KING, JOLLY, and DENNIS, Circuit Judges.

PER CURIAM:\*

Howard N. Chisholm, Jr., appeals the dismissal of his suit for lack of subject matter jurisdiction pursuant to 28 U.S.C. § 2401(b). Chisholm contends that the statute of limitations did not bar his suit because his administrative tort claim was filed within two years of the time he became aware of the factual predicate for a possible medical malpractice claim. We have

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

reviewed the record and the briefs of the parties and AFFIRM the district court's dismissal for essentially the same reasons adopted by the district court. Chisholm v. United States, No. 96-CV-1421 (W.D. La. Oct. 22, 1996).

AFFIRMED.