

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-20907
Summary Calendar

MONTA SUDDHIPRAKARN,

Plaintiff-Appellant,

VERSUS

TOGO D. WEST, JR., Secretary, Department
of Veterans Affairs Agency,

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Texas

(H-99-CV-714)

February 22, 2000

Before HIGGINBOTHAM, DeMOSS, and STEWART, Circuit Judges.

PER CURIAM:*

Monta Suddhiprakarn, plaintiff, sued Togo D. West, Jr., Secretary of the Department of Veterans Affairs, in the United States District Court for the Southern District of Texas alleging discrimination under Title VII of the Civil Rights Act of 1964 on the basis of national origin and harassment and discrimination in the workplace. Defendant has moved to dismiss for lack of subject matter jurisdiction under Rules 12(b)(1) and 12(h)(3), Federal Rules of Civil Procedure. The district court granted such motion for dismissal and plaintiff appeals.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

We have carefully reviewed the briefs, the reply brief, the record excerpts, and relevant portions of the record itself. For the reasons stated by the district judge in her Memorandum and Opinion entered under date of August 5, 1999, we affirm the Order of Dismissal without prejudice entered under date of August 5, 1999.

AFFIRMED.