

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 99-20909  
Summary Calendar

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ANNIE JOYCE DIAS,

Plaintiff-Appellant,

versus

METHODIST HEALTH  
CARE SYSTEM,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. H-98-CV-1893  
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June 23, 2000

Before SMITH, BARKSDALE, and PARKER, Circuit Judges.

PER CURIAM:\*

Annie Joyce Dias appeals the district court's grant of the defendant's motion for summary judgment in this Family and Medical Leave Act (FMLA) case. She first argues that the district court erred in finding that she had not provided adequate notice to her employer of her need for unforeseen leave. The district court did not so err. Dias failed to impart to her employer, as soon as practicable under the circumstances, information sufficient to reasonably apprise it of her need for

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

time off due to her son's allegedly serious health condition. See Satterfield v. Wal-Mart Stores, Inc., 135 F.3d 973, 980 (5th Cir. 1998); Manuel v. Westlake Polymers Corp. 66 F.3d 758, 761-62, 764 (5th Cir. 1995); 29 CFR § 825.303.

Dias also argues that Methodist should be estopped from claiming inadequate notice because it failed to provide instructions on what was expected of employees in cases of unforeseen leave. This issue has already been decided adversely to Dias. See Satterfield, 135 F.3d at 983. Dias' final argument is that sickle cell anemia is a serious health condition under the FMLA. Because this issue has no bearing on the threshold issue of notice, the district court did not err in denying as moot Dias' motion for partial summary judgment. Because Dias has failed to show that the district court erred in granting the defendant's motion for summary judgment, the judgment of that court is AFFIRMED.