

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

No. 19-50654
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

March 11, 2020

Lyle W. Cayce
Clerk

JON HARLANDALE-GA DOE,

Plaintiff–Appellant,

versus

HARLANDALE INDEPENDENT SCHOOL DISTRICT,

Defendant–Appellee.

Appeal from the United States District Court
for the Western District of Texas
No. 5:18-CV-889

Before DAVIS, SMITH, and HIGGINSON, Circuit Judges.

PER CURIAM:*

The plaintiff sued for relief under Section 504 of the Rehabilitation Act

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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of 1973 and 42 U.S.C. § 1983. The district court properly dismissed for failure to exhaust for not invoking the IDEA administrative review process. The court noted that the “exhaustion requirement applies even if relief is sought under other federal laws” such as § 1983. The defendant school district helpfully points out that just a few months after the district court entered judgment, this court reiterated this exhaustion requirement in *McMillen v. New Caney Independent School District*, 939 F.3d 640, 645–47 (5th Cir. 2019), *petition for cert. filed* (Jan. 30, 2020) (No. 19-972).

AFFIRMED.