

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-30003
Summary Calendar

DR. MICHAEL FOX et al.,

Plaintiffs-Appellants,

versus

UNITED STATES OF AMERICA,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 92-CV-1123
- - - - -

July 26, 1996

Before HIGGINBOTHAM, WIENER, and BENAVIDES, Circuit Judges.

PER CURIAM:*

The plaintiffs have filed a motion to dismiss their appeal under Fed. R. App. P. 42(b). IT IS ORDERED that the motion is GRANTED, and the appeal is DISMISSED. The Government's plea of lack of subject-matter jurisdiction is rejected. See Frantz v. United States, 29 F.3d 222, 224 (5th Cir. 1994)("This court has not required plaintiffs to specifically enumerate legal theories of recovery in their administrative claims.").

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

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