

United States Court of Appeals
for the Fifth Circuit

No. 24-20412

United States Court of Appeals
Fifth Circuit

FILED

August 20, 2025

Lyle W. Cayce
Clerk

KRISTEN FLYNN,

Plaintiff—Appellant,

versus

MICHAEL VAN METER; BENTLEY BOBROW; JESSICA WILSON;
STACEY PISKLAK; GREGORY BEAULIEU; MARKEY McNUTT;
MONICA GUIDRY; CARRIE BAKUNAS; ZHENG MA; THE
UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT
HOUSTON; JOHN P. AND KATHERINE G. MCGOVERN MEDICAL
SCHOOL; MEMORIAL HERMANN HEALTH SYSTEM; MEMORIAL
HERMANN TEXAS MEDICAL CENTER; HARRIS HEALTH SYSTEM;
LYNDON B. JOHNSON HOSPITAL,

Defendants—Appellees.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:23-CV-4087

Before JONES, SOUTHWICK, and OLDHAM, *Circuit Judges.*

PER CURIAM:*

* This opinion is not designated for publication. See 5TH CIR. R. 47.5.

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We conclude there was no reversible error in the district court's judgment except that the dismissal of the ADA claims against the University of Texas Health Science Center, McGovern Medical School, Zheng Ma, Carrie Bakunas, Monica Guidry, Bentley Bobrow, Michael Van Meter, Jessica Wilson (all the foregoing collectively referred to as UT Health), and Gregory Beaulieu should not have been decreed as being with prejudice.

Accordingly, we AFFIRM the dismissals with prejudice of the ADA claims against all Defendants except UT Health and Beaulieu. We REVERSE IN PART the dismissal of the ADA claims against UT Health and Beaulieu that was entered with prejudice and ENTER JUDGMENT that those claims are dismissed without prejudice.