

June 18, 2003

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 03-30064  
Summary Calendar

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MATTIE AMOS,

Plaintiff-Appellant,

versus

BLUE CROSS & BLUE SHIELD OF NEW MEXICO, a Division of Health Care Service Corporation, a Mutual Legal Reserve Company; DAVID DAVEFIEDLER; KATHY GRIFFIN; DEBBIE DIXON; BONNIE MICHALSKI; KEN GODBOLD; JIM STREET, doing business as Healthcare Financial Administration,

Defendants-Appellees.

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MATTIE AMOS,

Plaintiff-Appellant,

versus

KATHY GRIFFIN; DEBBIE DIXON; BONNIE MICHALSKI; KEN GODBOLD,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Western District of Louisiana  
USDC Nos. 01-CV-759 & 02-CV-1222  
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Before BARKSDALE, DeMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Mattie Amos, a former Medicare provider, appeals the district court's dismissal for lack of jurisdiction of her claims arising

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

under the Medicare Act, 42 U.S.C. §§ 1395 *et seq.* Amos alleged in the district court that the defendants committed fraud by intentionally falsifying Medicare records in order to steal "millions of dollars" from Amos's business, P.D.C. Home Health Care Services. Amos does not dispute that she has failed to exhaust her administrative remedies as required by the Medicare Act. Under these circumstances, the district court lacked jurisdiction over Amos's complaint. Heckler v. Ringer, 466 U.S. 602, 605-07 & n.1 (1984); Riley Hosp. & Benevolent Ass'n v. Bowen, 804 F.2d 302, 304 (5th Cir. 1986).

In light of the fact that federal jurisdiction does not exist, we pretermitt consideration of Amos's other appellate arguments.

AFFIRMED.