

January 28, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-40894
Summary Calendar

DELTON SPREE,

Plaintiff-Appellant,

versus

UNITED STATES OF AMERICA,

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 6:03-CV-107

Before REAVLEY, JOLLY and HIGGINBOTHAM, Circuit Judges.

PER CURIAM:*

The judgment of the district court is affirmed for the reasons given by the judge in his order of May 11, 2004. Under the Federal Tort Claims Act limitations barred this action six months after the date of the Coast Guard's denial letter on September 20, 2002, but no suit was filed until September 5, 2003.

AFFIRMED.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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