

May 23, 2007

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III
Clerk

No. 06-20833
Summary Calendar

DEBRA DECATO,

Plaintiff-Appellant,

versus

NORTHEAST MEDICAL CENTER HOSPITAL,

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Texas, Houston
USDC No. 4:05-CV-449

Before REAVLEY, GARZA and BENAVIDES, Circuit Judges.

PER CURIAM:*

The judgment of the Magistrate Judge is affirmed for the reasons stated
in his opinion dated August 15, 2006. The appellant was terminated after her

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

medical leave had terminated because she was insubordinate and failed to report for surgical duty on January 4, 2005. There is no evidence in this record that this reason for her discharge was only pretextual.

AFFIRMED.