

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

January 4, 2012

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No. 11-30546  
Summary Calendar

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Lyle W. Cayce  
Clerk

LITO MARTINEZ ASIGNACION

Plaintiff-Appellee

v.

RICKMERS GENOA SCHIFFAHRSTGESELLSCHAFT MBH & CIE KG

Defendant-Appellant

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Appeal from the United States District Court  
for the Eastern District of Louisiana  
(2:11-CV-627)

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Before HIGGINBOTHAM, DAVIS and ELROD, Circuit Judges.

PER CURIAM:\*

It is ordered that appellee's motion to dismiss the appeal is GRANTED.  
See *Dahiya v. Talmidge International, Ltd.*, 371 F.3d 207 (5<sup>th</sup> Cir. 2004).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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