

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 94-50741
Summary Calendar

BOWIE HINGER,

Plaintiff-Appellant,

VERSUS

DELL COMPUTER CORPORATION,

Defendant-Appellee.

Appeal from the United States District Court
for the Western District of Texas
(93 CV 773)

March 16, 1995

Before SMITH, EMILIO M. GARZA, and PARKER, Circuit Judges.

PER CURIAM:*

We affirm on the basis of Wamsley v. Champlin Refining & Chems., Inc., 11 F.3d 534 (5th Cir. 1993). The plaintiff asks us to revisit the holding of Wamsley, but one panel cannot overrule another, even if, arguendo, we were inclined to want to do so.

The plaintiff received money in exchange for waiving his

* Local Rule 47.5.1 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that rule, the court has determined that this opinion should not be published.

statutory right to sue for age discrimination. Under Wamsley, he ratified his release by failing to return the money. The release is clear and unambiguous and will be enforced in accordance with its terms.

AFFIRMED.