

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-20371

JO ANN MOODY,

Plaintiff-Appellant,

versus

THE M W KELLOGG COMPANY,

Defendant-Appellee.

Appeal from the United States District Court
For the Southern District of Texas, Houston
(CA-H-95-3848)

February 13, 1997

Before HIGGINBOTHAM, DAVIS, and BARKSDALE, Circuit Judges.

PER CURIAM:*

We are persuaded that there are questions of fact regarding both the claims under ADA and the Texas Workers' Compensation Act, Texas Labor Code, Section 451.001. We REVERSE the grant of summary judgment and REMAND for further proceedings.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.