

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 96-60847  
(Summary Calendar)

---

EMMA BREWSTER BARFIELD,

Plaintiff-Appellant,

versus

BELLSOUTH TELECOMMUNICATIONS, INC.  
doing business as South Central  
Bell Telephone Company,

Defendant-Appellee.

---

Appeal from the United States District Court  
For the Southern District of Mississippi  
(4:96-CV-95-LN)

---

May 21, 1997

Before HIGGINBOTHAM, WIENER, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

This is an appeal from the district court's dismissal of Plaintiff-Appellant Emma Brewster Barfield's second wrongful termination claim against Defendant-Appellee BellSouth

---

\*Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Telecommunications, Inc., doing business as South Central Bell Telephone Company. Barfield asserts that the district court erred in determining that her case was barred by the principles *res judicata* on the basis of her first suit which had alleged discrimination grounded in the Americans with Disabilities Act. In conducting our *de novo* review, we carefully evaluated the record on appeal, the arguments of both parties as set forth in their briefs to this court, and the applicable law, and we have come to the same conclusions as did the district court in its well-reasoned and thoughtful opinion. Specifically, her second suit arises from precisely the same operative nucleus of fact as did her first suit, thereby precluding such relitigation. We therefore affirm in all respects the district court's dismissal for the same reasons expressed therein by the district court.

AFFIRMED.