

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 98-60189

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JP REALTY PARTNERS INC,  
Plaintiff - Appellant,

v.

CITY OF BILOXI,  
Defendant - Appellee.

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Appeal from the United States District Court  
for the Southern District of Mississippi  
(1:96-CV-11-GR)

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June 7, 1999

Before GARWOOD, DUHÉ and BENAVIDES, Circuit Judges.

PER CURIAM:\*

JP Realty Partners, Inc. (hereinafter "JP") appeals from the summary judgment of the district court dismissing its federal and Mississippi state claims against the City of Biloxi (hereinafter "City").

After carefully considering the oral arguments of the parties, the briefs of both parties, and the record on appeal as well as conducting a de novo review, we affirm essentially for the reasons stated by the district court. Specifically, we find that the district court correctly concluded that JP's federal constitutional claims were not ripe for review; that the state

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

statutory claims were precluded by the failure of JP to comply with the notice provision of the Mississippi Tort Claims Act; and that the exclusive remedy for JP's state constitutional claims was an appeal to the Mississippi Circuit Court.

AFFIRMED.