

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**

July 10, 2008

\_\_\_\_\_  
No. 07-30773  
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Charles R. Fulbruge III  
Clerk

HARRY P MENDOZA, Captain

Plaintiff-Appellee

v.

NEW ORLEANS CITY; C RAY NAGIN; WARREN RILEY; MARLON  
DEFILLO; MICHAEL HARRISON; BRUCE ADAMS; SERGEANT  
LAWRENCE JONES; SERGEANT KENNETH MIESTCHOVICH

Defendants-Appellants

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HARRY MENDOZA

Plaintiff-Appellee

v.

NEW ORLEANS CITY

Defendant-Appellant

\_\_\_\_\_  
Appeal from the United States District Court  
for the Eastern District of Louisiana  
USDC No. 2:06-CV-3040  
\_\_\_\_\_

No. 07-30773

Before HIGGINBOTHAM, DAVIS, and BARKSDALE, Circuit Judges.

PER CURIAM:\*

AFFIRMED. See 5th Cir. R. 47.6.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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