

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

February 10, 2012

Lyle W. Cayce
Clerk

No. 11-51058
Summary Calendar

EARL ROBERT HELLER,

Plaintiff - Appellant

v.

UNITED STATES OFFICE OF PERSONNEL MANAGEMENT,

Defendant - Appellee

Appeal from the United States District Court
for the Western District of Texas
USDC No. 3:11-CV-358

Before REAVLEY, SMITH, and PRADO, Circuit Judges.

PER CURIAM:*

The district court dismissed the complaint because it was not filed within the 30 days after receiving notice of the reviewable order of the Merit System Protection Board. In this appeal Mr. Heller does not contest or object to that ruling and judgment of the district court. It must be affirmed.

AFFIRMED

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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