

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

United States Court of Appeals
Fifth Circuit

FILED

July 9, 2013

Lyle W. Cayce
Clerk

No. 12-20491

Summary Calendar

YIGAL BOSCH,

Plaintiff-Appellant

v.

CITY OF HOUSTON,

Defendant-Appellee

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:12-CV-304

Before WIENER, ELROD, and GRAVES, Circuit Judges.

PER CURIAM:*

Yigal Bosch challenges the district court's dismissal of his petition for removal of his state court action. Because the removal statutes provide that only a defendant may remove a state action to federal court, the district court did not err in determining that removal by Bosch was improper. *See* 28 U.S.C. §§ 1441(a), 1443(1), 1446(a); *McKenzie v. United States*, 678 F.2d 571, 574 (5th Cir. 1982).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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