

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

No. 14-50863
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

March 17, 2015

Lyle W. Cayce
Clerk

HAROLD JAMES BOSIER,

Plaintiff – Appellant,

v.

DEPARTMENT OF TREASURY,

Defendant – Appellee.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 1:14-CV-24

Before SMITH, WIENER, and ELROD, Circuit Judges.

PER CURIAM:*

Plaintiff–Appellant Harold James Bosier appeals the district court’s dismissal of his complaint against the Department of the Treasury and the district court’s denial of his motion to appoint counsel. We have reviewed the briefs and applicable portions of the record, and we conclude that the district court committed no error. The district court correctly dismissed Bosier’s

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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complaint because Bosier failed to exhaust his administrative remedies. In addition, as the district court noted, dismissal was warranted for the independent reason that Bosier's suit—which he commenced 91 days after the MSPB's decision became final—was untimely. Moreover, Bosier fails to show that the district court abused its discretion in refusing to appoint counsel for him. *See Salmon v. Corpus Christi Indep. Sch. Dist*, 911 F.2d 1165, 1166 (5th Cir. 1990).

For the foregoing reasons, as more fully explained by the district court, we AFFIRM.