

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

No. 16-41192
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED
March 24, 2017

Lyle W. Cayce
Clerk

ASHLEY B. WOMACK,

Plaintiff - Appellee

v.

RUSTIN P. WRIGHT,

Defendant - Appellant

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 4:15-CV-601

Before JOLLY, SMITH, and GRAVES, Circuit Judges.

PER CURIAM:*

Appellant Rustin Wright appeals the district court's remand of his case to state court for lack of subject-matter jurisdiction. The district court found that Wright could not remove his case pursuant to 28 U.S.C. § 1443 because he has not alleged that his civil rights were violated due to race. After reviewing his claims, we concur that Wright has not asserted a civil rights

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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claim that is removable under § 1443. *Texas v. Gulf Water Benefaction Co.*, 679 F.2d 85, 86 (5th Cir. 1982) (“To gain removal to federal court under 28 U.S.C. § 1443, the defendant must show . . . the right allegedly denied it arises under a federal law providing for specific rights stated in terms of racial equality”).

AFFIRMED.