

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

\_\_\_\_\_  
No. 16-60702  
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United States Court of Appeals  
Fifth Circuit

**FILED**

May 17, 2017

Lyle W. Cayce  
Clerk

CHRISTINE R. SIMPSON,

Plaintiff–Appellant,

versus

KELLY SERVICES, INCORPORATED,

Defendant–Appellee.

\_\_\_\_\_  
Appeal from the United States District Court  
for the Southern District of Mississippi  
USDC No. 3:14-CV-972  
\_\_\_\_\_

Before JOLLY, SMITH, and GRAVES, Circuit Judges.

PER CURIAM:\*

Christine Simpson sued her former employer, Kelly Services, Incorporated (“Kelly”), claiming that her termination violated the Americans with

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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Disabilities Act and the Family Medical Leave Act. The district court granted Kelly's motion for summary judgment based on judicial estoppel because Simpson had failed to disclose her claim against Kelly in her bankruptcy proceedings.

We have reviewed the briefs, the record, and the applicable law and have heard the arguments of counsel. The district court faithfully applied the requirements of *Love v. Tyson Foods, Inc.*, 677 F.3d 258 (5th Cir. 2012), regarding judicial estoppel, to these facts. In particular, the court explained why, under the applicable law, Simpson cannot reasonably contend that her failure to disclose was inadvertent.

The summary judgment is AFFIRMED, essentially for the reasons set forth in the district court's well-reasoned order entered on September 26, 2016.