

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

United States Court of Appeals
Fifth Circuit

FILED

February 13, 2020

Lyle W. Cayce
Clerk

No. 19-50351
Summary Calendar

BRUCE BECKER,

Plaintiff - Appellant

v.

ROBERT WILKIE, SECRETARY, U.S. DEPARTMENT OF VETERANS AFFAIRS; THOMAS J. MURPHY, Principal Deputy Under Secretary for Benefits, Department of Veterans Affairs; MARLAN P. WALDROP, Regional Director, VA Houston Regional Office,

Defendants - Appellees

Appeal from the United States District Court
for the Western District of Texas
USDC No. 5:16-CV-842

Before HIGGINBOTHAM, HO, and ENGELHARDT, Circuit Judges.

PER CURIAM:*

Bruce Becker, a disabled veteran, proceeding pro se, filed suit in district court, challenging the U.S. Department of Veterans Affairs' adjudication of his benefits determination. Asserting claims under the Constitution and the

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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Administrative Procedure Act, he sought damages and equitable relief, including a higher disability rating. The district court granted the Government's motion to dismiss. It held that, at bottom, Becker seeks review of his benefits determination. Because the Veterans' Judicial Review Act precludes federal district courts from reviewing such claims, the district court dismissed the case for lack of subject matter jurisdiction.¹ Becker appeals.

We have carefully reviewed the briefs, the record excerpts, and relevant portions of the record itself. For the reasons stated by the district court in its order of March 25, 2019, we affirm its dismissal of Plaintiff's case with prejudice.

¹ 38 U.S.C. § 511.