

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 03-3581

Joeffre Kolosky,

Appellant,

v.

Fairview University Medical Center,

Appellee.

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Appeal from the United States
District Court for the District
of Minnesota.

[UNPUBLISHED]

Submitted: May 7, 2004

Filed: May 17, 2004

Before MORRIS SHEPPARD ARNOLD, FAGG, and SMITH, Circuit Judges.

PER CURIAM.

Joeffre Kolosky appeals the district court's* dismissal of Kolosky's civil complaint brought under the Family and Medical Leave Act (FMLA), 29 U.S.C. § 2601, *et seq.* We conclude the dismissal of Kolosky's complaint was proper because he ceased to be eligible for FMLA benefits under 29 U.S.C. § 2612(a)(1) when his employment with Fairview University Medical Center was terminated, and

*The Honorable Donovan W. Frank, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Susan Richard Nelson, United States Magistrate Judge for the District of Minnesota.

he did not provide Fairview adequate notice before his termination that he needed FMLA leave. We affirm the judgment of the district court. See 8th Cir. R. 47B.
