

**United States Court of Appeals  
FOR THE EIGHTH CIRCUIT**

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No. 98-3983

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Roosevelt J. Smith,

Appellant,

v.

Lucent Technologies, Inc.; John L.  
Cimino; Christopher P. Cummings,

Appellee.

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\* Appeal from the United States  
\* District Court for the  
\* Eastern District of Missouri  
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\* [UNPUBLISHED]  
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Submitted: May 7, 1999

Filed: May 24, 1999

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

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PER CURIAM.

Roosevelt J. Smith brought an employment discrimination action against Lucent Technologies (Lucent), John L. Cimino, and Christopher P. Cummings. The district court<sup>1</sup> dismissed the action with prejudice for failure to state a claim and for failure to prosecute and comply with the court's orders. Mr. Smith appeals, arguing for the first time that the district court should have compelled arbitration, as the Federal Arbitration

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<sup>1</sup>The Honorable Stephen N. Limbaugh, United States District Judge for the Eastern District of Missouri.

Act and the union contract with Lucent required arbitration. We do not consider arguments raised for the first time on appeal. See Dorothy J. v. Little Rock Sch. Dist., 7 F.3d 729, 734 (8th Cir. 1993).

Accordingly, we affirm.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.