

# United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 99-7276

September Term, 1999

98cv01009

Filed On: July 18, 2000 [530452]

Trena Ferrell,  
Appellant

v.

Howard University,  
Appellee

**BEFORE:** Williams, Ginsburg, and Randolph, Circuit Judges

## APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

### J U D G M E N T

This appeal was considered on the record from the United States District Court for the District of Columbia and on the briefs filed by the parties. The court has determined that the issues presented occasion no need for an opinion. See Fed. R. App. P. 36; D.C. Cir. Rule 36(b). It is

**ORDERED AND ADJUDGED** that the magistrate judge's December 2, 1999 order dismissing appellant's complaint, pursuant to Rule 12(b)(6), be affirmed. Appellant failed to allege all the necessary elements of a claim under the Rehabilitation Act of 1973, 29 U.S.C. § 794 et seq., and the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq. See Doe v. University of Md. Med. Sys. Corp., 50 F.3d 1261, 1265 (4th Cir. 1995). Appellant's allegations do not support an inference that Howard had notice of her alleged disability, and she acknowledged in her complaint that she did not notify Howard of her alleged disability prior to her dismissal. Cf. Crandall v. Paralyzed Veterans of Am., 146 F.3d 894 (D.C. Cir. 1998).

The Clerk is directed to withhold issuance of the mandate herein until seven days after disposition of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam