

January 13, 2006

Charles R. Fulbruge III  
Clerk

In the  
United States Court of Appeals  
for the Fifth Circuit

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m 04-20731

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SUSAN L. EVANS,

Plaintiff-Appellant,

VERSUS

METROPOLITAN LIFE INSURANCE COMPANY;  
UNION TEXAS PETROLEUM SERVICES CORPORATION;  
UNION TEXAS PETROLEUM CORPORATION;  
UNION TEXAS PETROLEUM ENERGY CORPORATION;  
UNION TEXAS PETROLEUM HOLDINGS, INC.,  
ALSO KNOWN AS PHILLIPS ALASKA HOLDINGS, INC.;  
UNION TEXAS PETROCHEMICALS CORPORATION;  
ATLANTIC RICHFIELD COMPANY,  
DOING BUSINESS AS ARCO;  
NETWORK MEDICAL REVIEW COMPANY, LTD.,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Southern District of Texas  
m 4:01-CV-1008

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Before JOLLY, HIGGINBOTHAM, and SMITH,  
Circuit Judges.

PER CURIAM:\*

Susan Evans sued her employer and related entities, and the plan administrator, under ERISA, claiming entitlement to long term disability benefits that the plan administrator had decided should be discontinued because Evans was no longer disabled under terms of the plan. She thus could not continue receiving benefits under the “any gainful work or service” test in the plan.

The district court, in a comprehensive and thoughtful 51-page Memorandum and Order entered on July 15, 2004, granted summary judgment on the claim for wrongful termination of benefits after deciding that the plan administrator did not abuse its discretion in denying continuation. Evans appeals *pro se*.

We have reviewed the briefs and pertinent portions of the record. We AFFIRM, essentially for the reasons carefully explained by the district court.

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\* Pursuant to 5<sup>TH</sup> 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5<sup>TH</sup> CIR. R. 47.5.4.