

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 99-40100

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JOE R. STRINGER; DESIREE H. STRINGER,  
Plaintiffs-Appellants,

versus

CENDANT MORTGAGE CORPORATION,  
doing business as PHH  
Mortgage Services Corporation,  
Defendant-Appellee.

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Appeal from the United States District Court  
for the Eastern District of Texas

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September 27, 2000

Before HIGGINBOTHAM and SMITH, Circuit Judges, and DUPLANTIER\*,  
District Judge.

PER CURIAM:

On December 22, 1999, we certified the controlling question in  
this case to the Texas Supreme Court. 199 F.3d 190 (5th Cir.  
1999). The question certified was:

Under the Texas Constitution, may a home equity lender  
require the borrower to pay off third-party debt that is  
not secured by the homestead with the proceeds of the  
loan?

The Texas Supreme Court answered the question in the  
affirmative in a unanimous opinion filed June 8, 2000, in turn

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\*District Judge of the Eastern District of Louisiana, sitting  
by designation.

filed with this court on June 12, 2000. The Texas Supreme Court by order of August 24, 2000, denied a motion for rehearing. That order was filed in this court on August 28, 2000. The posed question having been answered by a final decision of the Texas Supreme Court, the judgment of the United States District Court dismissing the case is AFFIRMED.