

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-30505
Summary Calendar

WOODY VOINCHE,

Plaintiff-Appellant,

versus

FEDERAL BUREAU OF INVESTIGATION,

Defendant-Appellee.

Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. 99-CV-894-B

November 30, 2000

Before POLITZ, DAVIS and BENAVIDES, Circuit Judges.

PER CURIAM:*

Woody Voinche appeals the district court's grant of summary judgment in favor of the Federal Bureau of Investigation in his action under the Freedom of Information Act and the Privacy Act. 5 U.S.C. §§ 552, 552a. He maintains that he is entitled to a jury trial on his allegations. Our review requires a determination that

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

the district court had a factual basis for its decision and that the decision was not clearly erroneous.¹

A close reading and parsing of the summary judgment record persuades beyond peradventure there is no genuine issue of material fact herein. Further, the grant of summary judgment was not in error. Accordingly, the issue of the denial of a jury trial is moot.²

The grant of summary judgment is AFFIRMED.

¹Villanueva v. Dep't of Justice, 782 F.2d 528 (5th Cir. 1986).

²Jackson Court Condominiums, Inc. v. City of New Orleans, 874 F.2d 1070 (5th Cir. 1989).