

**FILED**

February 9, 2004

Charles R. Fulbruge III  
Clerk

UNITED STATES COURT OF APPEALS  
For the Fifth Circuit

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No. 03-60304

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GLENN ALLEN ADAIR, doing business as Super D #229; JOHN ANDERSON;  
JIM BAIN; JIM BAIN'S PHARMACY INC.; ED. L. BAKER; ET AL.

Plaintiffs-Appellees,

and

STEPHEN R. GREEN, doing business as Central Mississippi  
Animal Clinic; DON WALDRON,

Plaintiffs-Counter Defendants, Appellees.

VERSUS

AMERUS LEASING, INC.; ET AL.,

Defendants,

AMERUS LEASING INC.; REPUBLIC LEASING COMPANY, INC.,

Defendants-Appellants,

and

COLONIAL PACIFIC LEASING CORP.; DANA COMMERCIAL CREDIT CORP.,  
doing business as Dana Commercial Credit,

Defendants-Counter Claimants-Appellants.

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Appeals from the United States District Court  
For the Southern District of Mississippi  
3:96-CV-218-LN

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Before DAVIS, BARKSDALE and PRADO, Circuit Judges.

PER CURIAM:\*

We read the district court's Memorandum Opinion and Order of February 24, 2003 as remanding this case under § 1367. We therefore have jurisdiction to review the court's order. After reviewing the record and considering the briefs and argument of the parties, we are persuaded that the district court considered the appropriate factors for remand under § 1367 and did not abuse its discretion in remanding this case to state court.

AFFIRMED.

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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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5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.