

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 93-4271
Summary Calendar

IN THE MATTER OF: LUTHER AND MARCILLE DAVIS,

Debtors,

UNITED COMPANIES FINANCIAL CORP.,

Appellee,

versus

LUTHER DAVIS and
MARCILLE DAVIS, ET AL.,

Appellants.

Appeal from the United States District Court
for the Western District of Louisiana
(92-CV-1087)

(December 9, 1993)

Before DAVIS, JONES, and DUHÉ, Circuit Judges.

PER CURIAM:*

The decision of the district court is affirmed on the basis of Nobelman (sic) v. American Savings Bank, ___ U.S. ___, 113 S. Ct. 2106 (1993) and In re Washington, 967 F.2d 173 (5th Cir. 1992). The district court correctly held that the multi-factor

* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

test stated in Washington to permit credit life insurance in narrow cases to be considered "other security" within 11 U.S.C. § 1322(b)(2) is conjunctive, not disjunctive. As the debtors' credit life policy was an optional feature of their loan, it is not "other security." We also note that United did not list the cash surrender value of the policy in its proof of claim and has thus disclaimed any interest in that sum.

For the foregoing reasons the decision of the district court is AFFIRMED.