

UNITED STATES COURT OF APPEALS
for the Fifth Circuit

No. 94-50116
Summary Calendar

MONTE D. TOMERLIN,

Plaintiff-Appellant,

VERSUS

CABLEWAVE SYSTEMS, a division of Radio Frequency Systems, Inc.,

Defendant-Appellee.

Appeal from the United States District Court
for the Western District of Texas
(SA-93-CV-196)

(August 10, 1994)

Before DAVIS, JONES, and DUHÉ, Circuit Judges.

PER CURIAM:¹

Having carefully considered the briefs of the parties and the record, we are firmly convinced that the district court correctly discerned the applicable law and correctly applied it to the undisputed facts in this case. Accordingly, for the reasons set forth by the district court in its Order filed September 21, 1993, its grant of summary judgment in favor of Defendant-Appellee is

AFFIRMED.

¹ 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 Pursuant to that Rule, the Court has determined that this opinion should not be published.