

UNITED STATES COURT OF APPEALS  
For the Fifth Circuit

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No. 95-60760  
Summary Calendar

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RANDY RAY SHOEMAKE,

Plaintiff-Appellant,

VERSUS

WAL-MART STORES, INC.,

Defendant-Appellee.

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Appeal from the United States District Court  
For the Southern District of Mississippi  
(1:94-CV-495-RR)

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May 14, 1996

Before DAVIS, BARKSDALE, and DeMOSS, Circuit Judges.

PER CURIAM:\*

Shoemake filed suit against Wal-Mart Stores, Inc. ("Wal-Mart") in the Circuit Court of Pearl River County, Mississippi, seeking to recover damages for personal injuries sustained by Shoemake when he slipped and fell on the premises of a Wal-Mart Store in Picayune, Mississippi. Wal-Mart removed the action to the United States

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\* Pursuant to Local Rule 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

District Court for the Southern District of Mississippi on the basis of diversity of citizenship and after completion of discovery moved for summary judgment. The United States district judge granted Wal-Mart's motion for summary judgment. We have carefully reviewed the briefs, the reply brief, the record excerpts and relevant portions of the record itself. For the reasons stated by the district judge in his memorandum order filed November 6, 1995, we affirm the final judgment filed under date of November 21, 1995, in Wal-Mart's favor.

**AFFIRMED.**