

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-60730

THAXTER PITTMAN,

Plaintiff-Appellant,

VERSUS

SONAT OFFSHORE DRILLING, INC.,

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Mississippi
(1:96-CV-289GR)

November 12, 1998

Before JOLLY, SMITH, and WIENER, Circuit Judges.

PER CURIAM:*

Thaxter Pittman appeals the denial of relief, following a bench trial, in his action for damages under the Jones Act and general maritime law following an accident in which he claims injuries from a fall. The district court entered a comprehensive "Bench Opinion" on September 30, 1997, finding that Pittman's testimony lacked credibility, in part because of inconsistencies in his account of the incident and because surveillance showed his

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

testimony on damages was untrustworthy. In its opinion, the court carefully explained why, especially under *Gautreaux v. Scurlock Marine, Inc.*, 107 F.3d 331 (5th Cir. 1997), Pittman cannot recover under the Jones Act.

In reviewing a bench trial, we apply the clear error standard to factual findings. Our review of the record reveals no error in the district court's determinations, and its legal conclusions are sound. We AFFIRM, essentially for the reasons set forth in the district court's opinion.