

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-20869

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY,
Plaintiff -Appellant,
v.

BEN W. "BUD" CHILDERS, as Fort Bend County Attorney;
MARK MILLIS; THE MILLIS GROUP INC.; ROYAL LAKES LIMITED; MICHAEL
D. ROZELL; BUD O'SHIELES; GRADY PRESTAGE; ANDY MEYERS; BOB LUTTS,
individually and as County Commissioners of Fort Bend County,

Defendants-Appellees.

On Appeal From the United States District Court
For the Southern District of Texas
(H-98-CV-643)

September 18, 2000

Before WOOD*, DAVIS and BARKSDALE, Circuit Judges.

PER CURIAM:**

After reviewing the record and considering the briefs and argument of counsel, we affirm the judgment and order of the district court essentially for the reasons assigned in the court's July 31, 1999 Memorandum and Order.

AFFIRMED.

*Circuit Judge of the Seventh Circuit, sitting by designation.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

