

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-30457

LUCILLE BERGERON STELLY, Individually and on behalf of Oliver Joseph Stelly Jr., LARRY JAMES STELLY; DEBRA ANN STELLY GUIDRY; LONNIE JOSEPH STELLY; BONNIE STELLY GUNTER; CYNTHIA ANN STELLY; LUCY MARIE STELLY; CONNIE STELLY THOMASSEE; PAMELA ANN STELLY; SAMANTHA STELLY QUEBEDEAUX,

Plaintiffs-Appellants,

versus

HOWARD ZERANGUE, JR., Individually and as Sheriff of St. Landry Parish, Louisiana, ET AL,

Defendants,

HOWARD ZERANGUE, JR., Individually and as Sheriff of St. Landry Parish, Louisiana; FLOYD SOILEAU; AUGUST DURROSSEAU, Individually and as Deputy Sheriff of St. Landry Parish; MICHAEL S. STELLY, Individually and as Deputy Sheriff of St. Landry Parish, LAURA BALTHAZAR, Individually and as Deputy Sheriff of St. Landry Parish,

Defendants-Appellees.

Appeal from the United States District Court
for the Western District of Louisiana
(96-CV-2113)

May 17, 1999

Before JONES, DUHÈ, and BARKSDALE, Circuit Judges.*

PER CURIAM:¹

¹Pursuant 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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

The court has considered this appeal by means of the briefs, oral argument and pertinent portions of the record. Having done so, we cannot conclude that the district court committed clear error in exonerating the appellees of state-law negligence. The district court rested his findings not only on evidence in the record, but also on credibility determinations that resolved serious factual disputes. This court is not in a position to second-guess those critical determinations. No constitutional claims are preserved here. The judgment of the district court is therefore AFFIRMED.

AFFIRMED.