

UNITED STATES COURT OF APPEALS
For the Fifth Circuit

No. 98-60478
Summary Calendar

NICHOLAS WATSON,

Plaintiff-Appellant,

VERSUS

WAL-MART STORES, INC.,

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Mississippi
(3:97-CV-133-BN)

March 25, 1999

Before DAVIS, DUHÉ and PARKER, Circuit Judges.

PER CURIAM:*

The district court did not err in entering judgment on the jury verdict and did not abuse its discretion in denying a new trial. The jury's finding that the plaintiff suffered no compensable damage is supported by substantial evidence. The defendant produced evidence from which the jury could have concluded that the plaintiff's back complaints and medical treatment were attributable to an injury that pre-dated his slip and fall in defendant's store.

AFFIRMED.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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