

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 99-11174  
Summary Calender

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In The Matter Of:  
ALPHONSO SOLOMON,  
Debtor.

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ALPHONSO SOLOMON; JANET M. SOLOMON,  
Appellants,  
V.  
ROBERT MILBANK, JR.,  
Appellee.

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Appeal from the United States District Court  
for the Northern District of Texas -- Dallas Division

No. 3:98-CV-1033-P

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June 23, 2000

Before SMITH, BARKSDALE and PARKER, Circuit Judges.

PER CURIAM:<sup>1</sup>

Appellants, Chapter 7 debtors, appeal the district court's  
affirmance of the bankruptcy court's grant of summary judgment in

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<sup>1</sup> 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that this opinion should not be published and is not precedent  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.

favor of appellee Robert Milbank, Jr., the Solomons' Chapter 7 trustee. Appellants, unsatisfied with the performance of their trustee, brought suit against him asserting 19 causes of action sounding in negligence, gross negligence and breach of fiduciary duty. Appellants sought recovery in the amount of \$2 million.

On appeal before the district court, Appellants asserted 24 points of error, generally arguing that the bankruptcy court erred (1) by denying them the opportunity to conduct discovery, (2) by failing to strike Appellee's motion for summary judgment, (3) by finding that Appellee had satisfied his burden on numerous aspects of the motion, (4) and by making improper factual determinations.

Before us, Appellants put forth eight points of error, all issues that received thorough consideration by the bankruptcy and district courts. Upon due consideration of the submissions of the parties and the augmented record, we find no reversible error. Accordingly, we AFFIRM.