

May 16, 2005

Charles R. Fulbruge III
Clerk

UNITED STATES COURT OF APPEALS
For the Fifth Circuit

No. 04-30652

In the Matter of: SEAREX ENERGY SERVICES, INC., SEAREX, INC.,
Debtors,

C. MICHAEL CHIASSON,

Appellant,

VERSUS

LOUISIANA MACHINERY COMPANY, INC., former known as Louisiana
Machinery, Inc.,

Appellee,

In the Matter of: SEAREX ENERGY SERVICES, INC., SEAREX, INC.,
Debtors,

C. MICHAEL CHIASSON,

Appellant,

VERSUS

SUPERIOR FABRICATORS, INC.,

Appellee,

In The Matter of: SEAREX ENERGY SERVICES INC., SEAREX, INC.,
Debtors,

C. MICHAEL CHIASSON, Trustee,
Appellant,

VERSUS

SPECIALITY MARINE & SUPPLY, LLC,
Appellee.

Appeals from the United States District Court
For the Eastern District of Louisiana
2:03:CV-1610

Before DAVIS, STEWART and DENNIS, Circuit Judges.

PER CURIAM:*

After reviewing the record in this case and based upon the briefs of the parties and argument of counsel, we affirm the Judgment of the District Court for essentially the reasons stated in its Opinion dated March 24, 2003. The Bankruptcy Court correctly concluded that the summary judgment evidence established that the funds used to make payments to appellees were not within the control of the debtor and therefore were not owned by the debtor at the time of the transfer.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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