

June 13, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. 04-20827

RAY SMITH; DAVID BARLOW, Individually
and on behalf of all other persons in
the United States Similarly Situated,

Plaintiffs - Appellants,

versus

COUNTRYWIDE CREDIT INDUSTRIES INC.; ET AL.,

Defendants,

COUNTRYWIDE HOME LOANS INC.,
Individually, doing business as
America's Wholesale Lender,

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Texas, Houston
USDC No. 4:02-CV-1989

Before JOLLY, HIGGINBOTHAM, and JONES, Circuit Judges.

PER CURIAM:*

AFFIRMED. See 5TH CIR. R. 47.6.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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