

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-31415

PHILLIP E. O'NEILL, ETC, ET AL,

Plaintiffs,

AVERY C. ALEXANDER, in his official
capacity of Louisiana State Representative
for Representative District No. 93, State
of Louisiana,

Plaintiff-Appellee,

versus

STATE OF LOUISIANA, ET AL,

Defendants,

MIKE J. FOSTER, JR., Honorable, in his
official capacity as the governor of
Louisiana and individually; LOUISIANA
STATE BOARD OF ETHICS, and its members
thereof; ROBERT ROLAND, Honorable, in
his official capacity as the Chairman
thereof; HARRY BLUMENTHAL, JR., Honorable,
in his official capacity as the Vice-Chairman
thereof; ROBERT BAREIKIS, Dr., in his official
capacity as a board member thereof and
individually; E. L. GUIDRY, in his official
capacity as a board member thereof and
individually; VIRGIL ORR, Dr., in his official
capacity as a board member thereof and
individually; REVIUS ORTIQUE, JR., in his
official capacity as a board member thereof
and individually; T. O. PERRY, JR., in his
official capacity as a board member thereof
and individually; ROBERT L. SAWYER, in his
official capacity as a board member thereof
and individually; NATHAN J. THORNTON, in his
official capacity as a board member thereof
and individually; EDWIN O. WARE, III, in
his official capacity as a board member
thereof and individually; CAROLE COTTON
WINN, in her official capacity as a
board member thereof and individually;
DAVID W. HOOD, Honorable, in his official

capacity as Secretary of Louisiana Department of Health and Hospitals and individually; MARK C. DRENNEN, Honorable, in his official capacity as Commissioner of Administration and individually,

Defendants-Appellants.

ARTHUR A. MORRELL,

Plaintiff-Appellee,

versus

MIKE J. FOSTER, JR., Governor,

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of Louisiana

December 28, 1999

Before WIENER and STEWART, Circuit Judges, and SHAW, District Judge.*

PER CURIAM:

This is an appeal from the decision of the district court holding that Louisiana Revised Statute 42:1116.1, which provides for random drug testing of elected officials holding state office in Louisiana, is violative of the Fourth Amendment of the United States Constitution. We have reviewed the record on appeal and the appellate briefs of counsel, and have heard arguments of able counsel discussing the relevant facts from the record and the applicable law as related in briefs and those arguments. In the end we are satisfied that the district court committed no

* District Judge of the Western District of Louisiana, sitting by designation.

reversible error in applying the pertinent law to the virtually uncontested facts and that all rulings of the district court should be affirmed for essentially the reasons set forth in the complete and well-crafted opinion of that court.¹

AFFIRMED.

¹ See O'Neill, et al v State of Louisiana, et al, 61 F.Supp. 2d 485 (E.D.La. 1998).