

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-60096
Summary Calendar

JAMES E. MCGREGOR, Individually and
on Behalf of the Estate and
Wrongful Death Beneficiaries of
James L. McGregor, Deceased,
Alice McGregor and Sherry McGregor,

Plaintiff-Appellant,

versus

PAFFORD AMBULANCE SERVICE, INC.;
ROB STILES; JASON EVANS,

Defendants-Appellees.

Appeal from the United States District Court for the
Northern District of Mississippi
USDC No. 2:98-CV-220-EMB

July 28, 2000

Before JOLLY, DAVIS, and PARKER, Circuit Judges.

PER CURIAM:*

After reviewing the briefs and the record in this case, we agree with the magistrate judge, who decided this case pursuant to 28 U.S.C. § 636(c), that there is no material issue of fact that precludes the grant of summary judgment for the defendants in this

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

case. As noted by the magistrate judge, there is simply no evidence that, as a result of the use of the Bolivar County ambulance service rather than the use of the defendant's service, there was any delay in the transport of Mr. McGregor from the nursing home to the hospital. Furthermore, there is no evidence establishing that the outcome for Mr. McGregor would have been any different had he arrived at the hospital sooner.

Thus, for essentially the same reasons given in the magistrate judge's opinion, the judgment of the district court is

A F F I R M E D.