

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 02-60041

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JARVAUGHN B. ROGERS;  
ROY LOVELACE;  
FIRST CAPITAL HOME IMPROVEMENTS, INC.,

Plaintiffs-Appellants,

versus

UNITED STATES OF AMERICA,  
OPERATING THROUGH THE UNITED STATES  
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT,

Defendant-Appellee.

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Appeal from the United States District Court  
For the Northern District of Mississippi

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(4:01-CV-6-P-B)

January 13, 2003

Before HIGGINBOTHAM and DAVIS, Circuit Judges, and HUDSPETH\*,  
District Judge.

PER CURIAM:\*\*

We affirm for essentially the reasons stated by the trial  
court.

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\* District Judge of the Western District of Texas, sitting by  
designation.

\*\* Pursuant to 5<sup>TH</sup> 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opinion should not be published and is not precedent except under the limited  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 5<sup>TH</sup> CIR. R. 47.5.4.