

November 3, 2004

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 03-11019

MICHAEL JON PIERCE, JR.,

Plaintiff - Appellant,

vs.

UNITED RENTALS, INC., UNITED RENTALS
OCCUPATIONAL INJURY BENEFIT PLAN and
EMPLOYERS HEALTH INSURANCE COMPANY,

Defendants - Appellees.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:01-CV-0995-K

Before WIENER and PRADO, Circuit Judges, and LITTLE,* District
Judge.

PER CURIAM:**

The court has considered the parties' positions in light of
oral argument, the briefs, and pertinent portions of the record.
Having done so, the court finds no reversible error of fact or

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

**Pursuant to 5TH CIRCUIT RULE 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that this opinion should not be published and is not precedent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 CIRCUIT
RULE 47.5.4.

law and AFFIRMS for essentially the reasons stated by the district court. See *Pierce v. United Rentals, Inc.*, No. 3:01-CV-0995-K, 2003 WL 22289882 (N.D. Tex. Aug. 28, 2003).

AFFIRMED.