

November 4, 2004

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

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No. 04-60291  
Summary Calendar

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JODY H. DERAMUS,

Plaintiff-Appellant,

versus

RESOLUTION TRUST CORPORATION (RTC);  
FEDERAL DEPOSIT INSURANCE CORPORATION  
(FDIC); COMMONWEALTH TITLE INSURANCE  
COMPANY; CHICAGO TITLE INSURANCE  
COMPANY,

Defendants-Appellees.

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Appeal from the United States District Court for  
the Northern District of Mississippi  
(USDC No. 1:02-CV-311-P)

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Before REAVLEY, BARKSDALE and GARZA, Circuit Judges.

PER CURIAM:\*

We affirm the judgment for the following reasons:

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

1. The district court's grant of summary judgment did not deny Doramus due process. *Oglesby v. Terminal Transport Co.*, 543 F.2d 1111, 1113 (5th Cir. 1976).
2. Doramus has not presented a triable issue on her claims regarding violations of zoning laws and restrictive covenants, because her lack of standing to pursue those claims has been preclusively determined in a previous suit. *See Winters v. Diamond Shamrock Chem. Co.*, 149 F.3d 387, 391 (5th Cir. 1998).
3. Doramus has not made any showing that defendants made a false statement to her with knowledge of the statement's falsity or ignorance of its truth, and thus has not presented a triable claim of fraud under Mississippi law. *See Gamble v. Dollar Gen. Corp.*, 852 So.2d 5, 10 (Miss. 2003).

AFFIRMED.