

UNITED STATES COURT OF APPEALS
for the Fifth Circuit

No. 95-60208

RILEY HOSPITAL AND BENEVOLENT ASSOCIATION,

Plaintiff-Appellant,

VERSUS

DONNA SHALALA, ETC., ET AL,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Mississippi
(4:95-CV-19)

(June 12, 1995)

Before WISDOM, GARWOOD and DAVIS, Circuit Judges.

PER CURIAM:¹

Giving the Secretary Chevron² deference in the interpretation of her own regulation - 42 C.F.R. § 412.96(g)(2) - we conclude that the district court correctly accepted the Secretary's interpretation of that regulation.

AFFIRMED.

¹ Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

² Chevron v. Natural Resources Defense Council, 467 U.S. 837, 842-843 (1984).